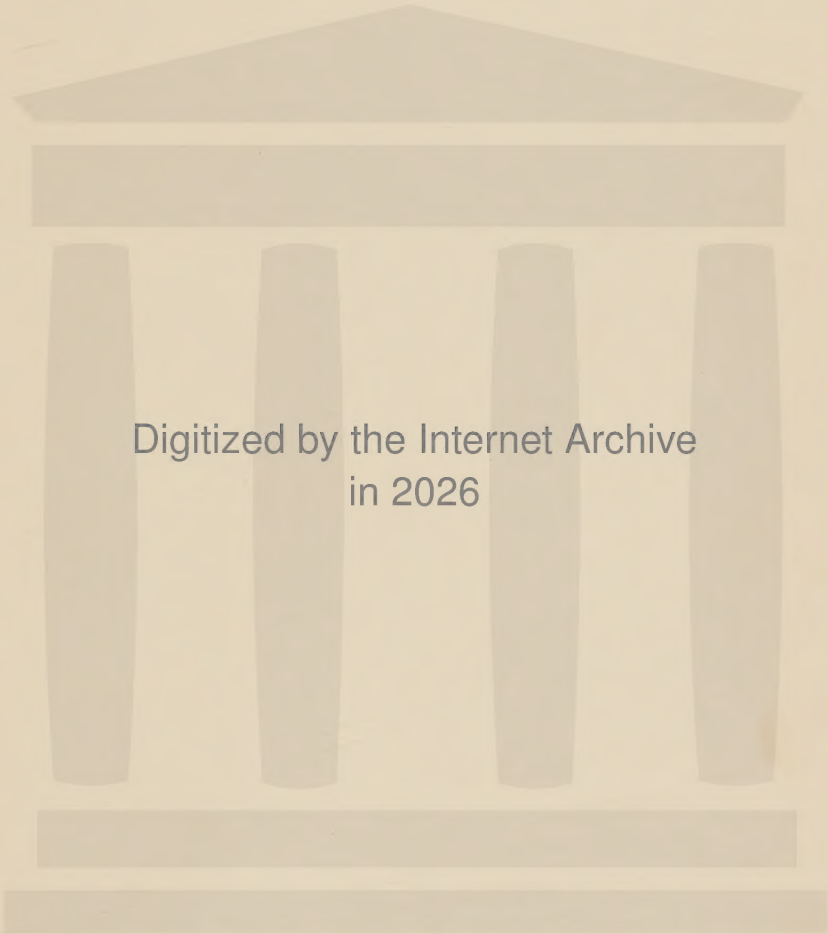

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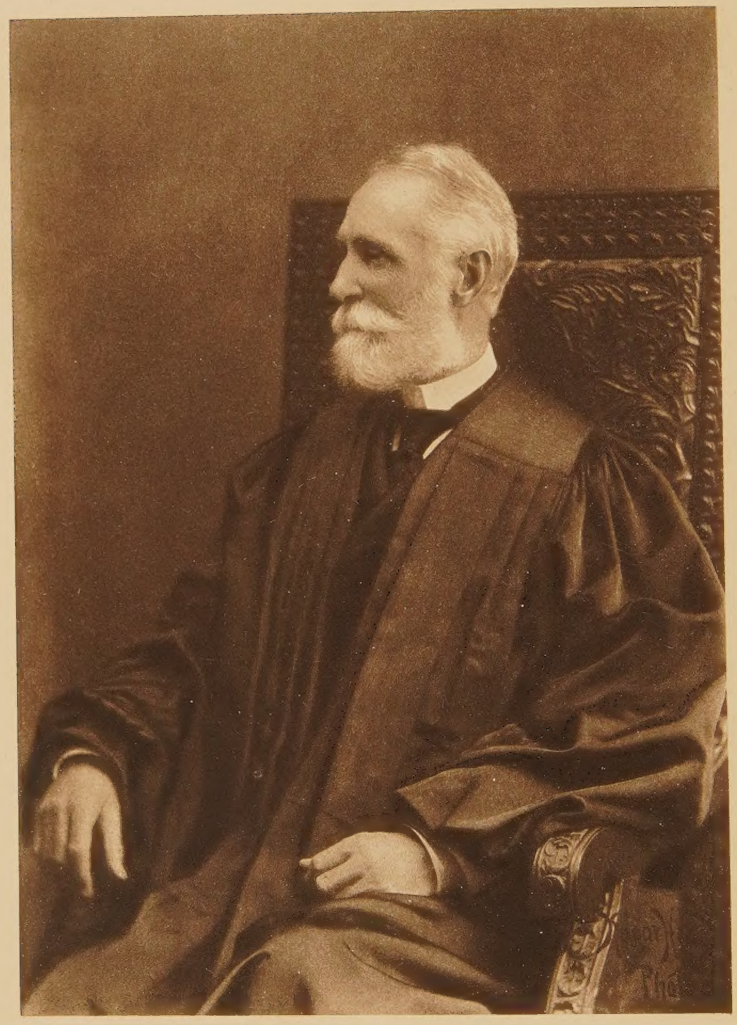

Horatio Rogers

THE EARLY RECORDS

OF THE

TOWN OF PROVIDENCE

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89
P9P9
vol. 18

VOL. XVIII

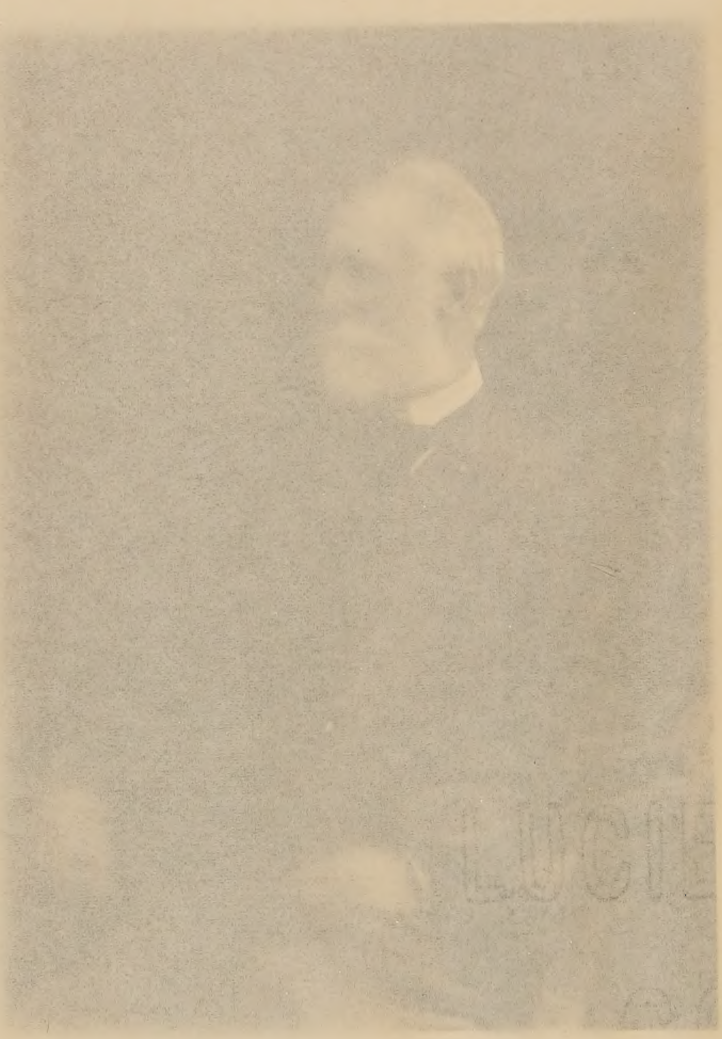
BEING OFFICIAL RECORDS AND DOCUMENTS
OF TITLE AND PROCEEDINGS RELATIVE TO
THE NORTH BURIAL GROUND

PRINTED UNDER AUTHORITY OF THE CITY COUNCIL OF PROVIDENCE, BY

EDWARD FIELD

Providence, Record Commissioner.

PROVIDENCE
SNOW & FARNHAM, CITY PRINTERS
1904.



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Gift of issuing office

PREFACE

This Volume continues the printing of the "Early Records of the Town of Providence," authorized by the following resolutions of the City Council of the City of Providence, approved March 6, 1891:

"Resolved, That Horatio Rogers, George M. Carpenter and Edward Field are hereby appointed record commissioners, who shall serve without compensation, for the purpose of collecting and printing the early records of the town of Providence, and said commissioners are hereby authorized to expend the sum of one thousand dollars for collecting and printing said records, said sum to be charged to the appropriation for printing."

From time to time the City Council has made other appropriations for the continuance of the work. A majority of the commission having deceased, Judge Carpenter having died July 31, 1896, and Judge Rogers on November 12, 1904, the surviving commissioner was elected Record Commissioner on November 22, 1904, under whose direction this volume is issued. This, the eighteenth volume in the series of printed records differs in character from those heretofore published, inasmuch as it is a compilation of records and proceedings relating to a special subject and is made a part of these records by

resolution of the City Council, No. 187, approved May 18, 1900, and the amendment thereto approved October 16, 1903, both of which are as follows:

"No. 187. Resolution to Print 500 Copies of the Records Relative to the North Burial Ground.

[Approved May 18, 1900.]

RESOLVED, That the Record Commissioners are hereby directed to cause to be printed for the use of the City Council, five hundred copies of the records and documents of title and proceedings relative to the North Burial Ground, the expense thereof to be charged to the appropriation for the Record Commissioners."

"No. 360. Resolution to Print 1,000 Copies of the Records Relative to the North Burial Ground.

[Approved October 16, 1903.]

RESOLVED, That the Record Commissioners be, and they are hereby directed to cause to be printed five hundred copies of the records and documents of title and proceedings relative to the North Burial Ground, in addition to the number authorized by Resolution No. 187, approved May 18, 1900, the expense of the printing of said five hundred additional copies of said Records to be charged to the appropriation for the Record Commissioners."

On January 25, 1894, the Joint Standing Committee of the City Council on the North Burial Ground requested the City Engineer to compile and prepare for the use of said committee

all the material on record from the earliest period in the history of the town of Providence up to that date, relating to the North Burial Ground. The growth of that institution with its changes of boundaries and the acquisition of territory made it absolutely necessary that there should be readily at hand the various records and data relating to this burying ground under the management and control of the municipality. The work of compilation was placed in the hands of William G. Brennan, Assistant Engineer in charge of city property in the office of the City Engineer, and the result of his painstaking and careful research was embodied in four volumes of type-written material, covering all the records both state and municipal, relative to this institution. By reason of the great amount of time and research expended in its preparation and the importance and value of the result obtained to the city, the committee felt that it should be preserved against loss by being printed and made available for convenient reference, and they therefore consulted with the commissioners as to the advisability of including the work among the volumes which the Record Commissioners had heretofore and were then placing in permanent form for preservation. This suggestion was heartily approved of by the commissioners, and while it was of a different character from the work already done by them, they were of the opinion that such an undertaking came well within the scope of work under their control. In considering this compilation for printing, it was found necessary to make a different arrangement from that originally prepared, and by direction of the City Engineer at the suggestion of the present commissioner, Mr. Brennan was assigned to re-arrange the material for printing. When the

great mass of manuscript was finally received, it was seen at once that it was too great to be included in one printed book without making such book too unwieldy and inconvenient, and it was decided to print it in two volumes as near uniform as possible. The records of the burying ground, therefore, in this book, conclude with the year 1889, the remaining portion being left to form the nineteenth volume of this series of printed records.

In printing this book the Commissioner has relied upon the manuscript submitted to him and has not consulted original records except in certain cases where it was found necessary for various reasons to verify dates or names and it is therefore printed practically as compiled under the direction of the City Engineer.

The Commissioner desires to express his thanks to Otis F. Clapp, Esq., City Engineer, and to William G. Brennan, Assistant Engineer, for their hearty co-operation and assistance in preparing this material for the press. He also expresses his appreciation of the assistance rendered by the Joint Standing Committee of the City Council on the North Burial Ground and to the Commissioners and Superintendent of the North Burial Ground.

An index to names and an index to subjects are also added hereto. In the index to subjects the date of the reference is indicated by figures in italics. The work is arranged chronologically as far as is consistent with the material included, the date of the proceeding being placed before the record in each case.

In the preface to Volume XI of the Early Records of the

Town of Providence, written eight years ago, Judge Rogers and myself had occasion to say that since the publication of the last volume, death had removed one of our associates. To-day it becomes my sad duty to record a similar fact, for Horatio Rogers, Chairman of the Record Commission died November 12, 1904, and, in appreciation of the long years of friendship and companionship I offer this sketch of his life and tribute to his memory.

Horatio Rogers, son of Horatio and Susan (Curtis) Rogers, was born in the city of Providence, May 18, 1836. His ancestors, both on his father's and mother's side, were distinguished in their generation for high character and strong individuality. On his father's side the earliest ancestor in America was James Rogers, who was made a freeman at Newport, R. I., in September, 1640, and subsequently held the office of general sergeant of the colony for many years. His father was a merchant of Providence, and took no active part in public affairs, but devoted his life to his business, his home and his family. His grandfather, John Rogers, served in the Revolutionary War, being commissioned ensign in the Second Rhode Island regiment of the Continental Line on May 1, 1779. He was wounded at Connecticut Farms on June 23, 1780, and transferred to the First Rhode Island regiment on January 1, 1781. He was commissioned lieutenant in August, 1781, and served in that office to the close of the war. He continued in the military service of his country and was appointed military storekeeper of the United States Army, March 9, 1819, and was honorably discharged June 1, 1821.

Two great-uncles were also officers in the Continental Army; one, Robert Rogers, having served in the Rhode Island Line, and the other, Rev. William Rogers, D. D., having been a Brigade-Chaplain in the Pennsylvania Line.

His mother was a daughter of David Curtis, of Worcester, a family of prominence in Massachusetts, and George William Curtis, the distinguished author and orator, was a near kinsman.

He obtained the benefit of the course of studies furnished in the common schools of the city and entered Brown University, graduating from that institution in the class of 1855 with the degree of A. B.

Choosing the law for a profession he entered the office of Hon. Thomas A. Jenckes, and, after diligently applying himself there and at the Harvard Law School, was admitted to the Rhode Island bar in 1858. Soon after he opened an office in Providence and entered upon the practice of his profession

His inherent qualities naturally directed him to assume the duties and obligations of good citizenship and he early became interested in public affairs. In 1860 occurred the exciting presidential campaign in which Abraham Lincoln was the candidate of the Republican party. In Rhode Island the enthusiasm for Lincoln was intense and the months of the campaign were filled with public meetings, parades and other demonstrations in the interest of the Illinois candidate. In this campaign Horatio Rogers entered with all the energy and interest which characterized his nature and he stumped the state in support of his party. On January 29, 1861, he married Lucia Waterman, the daughter of Resolved Waterman. In the fol-

lowing June he was elected by the City Council of Providence a justice of the police court. From this time until his death he was almost continuously active in public affairs. On September 7, 1861, he resigned the office to which he had just been elected, "having accepted a commission in the Third Regiment, R. I. V.," as he states in his letter of resignation to Hon. Jabez C. Knight, then mayor of the city of Providence.

When that gun was fired from the shores of Charleston harbor, against the flag of his country, he was eager to enlist in the cause of the Union, but it was not until August 27, 1861, that he entered the service, being then commissioned first lieutenant of Company D, Third Rhode Island Regiment Heavy Artillery. A few weeks later, while with this command at Fort Hamilton, N. Y., he was promoted to a captaincy and assigned to Company H. The Third Regiment formed a part of Gen. T. W. Sherman's expedition to Port Royal, South Carolina, in the fall of 1861, and participated in the bombardment and capture of Forts Walker and Beauregard at Hilton Head and Bay Point by the fleet under command of Commodore Dupont. The Third Regiment held these forts. In March, 1862, Captain Rogers with other companies of the Third, were sent to Tybee Island, Georgia, to take part in the reduction of Fort Pulaski.

In the siege during the battle of April 10 and 11, 1862, he had command at Battery McClellan located nearest the fort and which played a most conspicuous part in its reduction, the only casualties among the Union forces being in Rogers' command. During this bombardment Captain Rogers was at one time nearly buried in sand by the bursting of a shell. He par-

ticipated in the campaign of James Island, South Carolina, in June, 1862, and for the gallant part he took in the action of June 16th, was promoted to the rank of Major. He was in the expedition under Generals Brannan and A. H. Terry to burn the bridge at Pocotaligo, South Carolina, and shared in the desperate, but unsuccessful action of October 24, 1862. While serving in the Department of the South his legal knowledge caused him to be frequently assigned on courts-martial, acting as judge advocate. On January 7, 1863, he received his commission as Colonel of the Eleventh Rhode Island regiment to date from December 27, 1862, and, on January 23, 1863, took command of this regiment. He had hardly joined his new command when he was commissioned colonel of the Second Rhode Island regiment which formed a part of the Second Brigade, then commanded by Gen. Charles Devens and forming a part of the Third Division of the Sixth Corps and stationed at Falmouth, Virginia, and his connection with the Eleventh terminated with a service of two weeks.

Colonel Rogers took part in the various actions in which the second regiment was engaged with the Army of the Potomac, particularly the second battle of Fredericksburg, Salem Heights, Gettysburg, Rappahannock Station and Mine Run. The gallant part taken by him and his command won the praise of his superior officers and the thanks of the General Assembly of Rhode Island. The hardships connected with active campaigning had seriously affected his physical condition, never rugged or robust at its best, and when the army went into winter quarters after a service of two and one-half years, he resigned his commission January 14, 1864, and

returned to his home. For gallant and meritorious service he was brevetted Brigadier-General of United States Volunteers to date from March 13, 1865. Soon after his retirement from the army he was elected Attorney-General of Rhode Island and held this office from 1864 to 1867; he was urged to again become a candidate, but declined another nomination for the office. During the period from 1866 to 1868 he represented the Third Ward in the Common Council of Providence and again in 1873-4, during a portion of which time he served as president of that body. Following his service in the City Council of Providence he was elected to the General Assembly and served in the House of Representatives in 1868-9, and from 1874 to 1876.

On June 11, 1867, his wife died, and, on October 6, 1869, he married Emily P. Smith, daughter of Governor James Y. Smith. On January 1, 1873, he gave up the practice of the law, in which profession he had attained much distinction and entered upon a mercantile career, becoming a partner with his father-in-law, James Y. Smith, and his brother-in-law, Charles A. Nichols, in the manufacture of cotton goods.

He was thus engaged for twelve years, when on account of the death of Governor Smith and the closing up of the business, in which the company had been engaged, he again entered upon the practice of his profession.

He did not, however, remain inactive; the party with which he had so long been identified remembering the worth of the service which he had rendered to the state, nominated him in 1888, and he was again elected Attorney-General.

This term of service was during the period when a pro-

hibitory law was in effect. His administration of the office was fearless and vigorous; he enforced the laws of the state with all that zeal and energy which he displayed in all his acts, and, though nominated the following year, was defeated in consequence thereof.

His appointment as one of the Record Commissioners of the City of Providence on March 6, 1891, came while he was traveling in Florida for the benefit of his health, and his first knowledge of his selection was obtained in a letter from the writer while he was at St. Augustine. In his reply he states, "I will do all in my power to aid the good cause." Upon his return he entered upon the work which had been laid out by his associates with much interest and enthusiasm. He was thus engaged at a meeting of the commissioners at the City Hall on the evening of May 26, 1891, when word was received by telephone from Newport, where the General Assembly was then holding its session, that he had just been nominated by the Republican caucus as associate justice of the supreme court of Rhode Island and his election the following day was assured.

For a time he was visibly affected by this mark of confidence and distinction which his fellow citizens had shown him. An ambition which he had cherished was about to be realized, and with this came a full realization of the responsibilities, the duties and capabilities that would be demanded of him and which he must furnish. No man ever entered upon the duties of a public office more seriously, more impressed with the great honor and dignity which it carried, more appreciative of the love and confidence which his fellow men had for him, than

did Horatio Rogers enter upon the duties of his new position. On February 19, 1903, after a service of nearly twelve years, he resigned his seat on the supreme bench, having reached the age at which the law provided a judge of the supreme court might retire. Had his health permitted it is doubtful if he would have given up these duties which were as pleasant and agreeable to himself as they were satisfactory to his associates and members of the Rhode Island bar. Upon his retirement, in appreciation of the honors which the state had conferred upon him from time to time and in recognition of the pleasant associations which had marked his career upon the bench, he presented to the state for the use of the court, his magnificent and extensive law library.[1]

[1] RESOLUTION ACCEPTING THE RESIGNATION OF HONORABLE HORATIO ROGERS, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

RESOLVED, That the resignation of the office of associate justice of the supreme court of the state of Rhode Island and Providence plantations, tendered to this general assembly by the honorable Horatio Rogers, be and the same is hereby accepted to take effect as therein stated; and be it further

RESOLVED, That in accepting the resignation aforesaid the general assembly places on record its expression of deep regret that he is obliged by the condition of his health to lay aside the duties of associate justice of the supreme court of this state, which for a period of nearly twelve years he has discharged with such marked ability, impartiality, and integrity as to bring honor to the judiciary of the State and to win the confidence and commendation of his fellow citizens; and be it further

RESOLVED, That this general assembly in behalf of the state gratefully accepts his gift of his law library and authorizes the chief justice of the supreme court to cause the same to be placed in the judges' consultation room at the Providence court house for the use of the court; and be it further

RESOLVED, That the sheriff of Providence county be and he hereby is authorized and empowered to present to the retiring justice the chair and desk in the Providence county court house used by him during his term of office, and that the secretary of state be and he hereby is instructed to present to the retiring justice a copy of this resolution suitably engrossed and certified under the seal of the state.

Journal of Lieut. James M. Hadden, Chief of the English Artillery, during the Burgoyne Campaign, (Albany, 1884). In the preparation of this volume he consulted the various sources of information in the Dominion Library at Ottawa, Canada, and in other places, visited localities covered by the Burgoyne campaign, and made the work the most authoritative compilation from the English side relating to this episode in the American Revolution that had yet been brought out for the use of the historian or student.

The last volume which he published "Mary Dyer the Quaker Martyr," (Providence, 1896) was originally read before the Rhode Island Historical Society. Mary Dyer was an ancestress of his and this monograph was a most careful study of the character of this remarkable woman. He was also an occasional contributor to the *Providence Journal* and other periodicals. As an orator his services were frequently enlisted and he had taken part in several notable public occasions. He delivered the oration at the laying of the corner-stone of the City Hall, Providence, June 24, 1875, and that on the occasion of the dedication of the equestrian statue of Maj.-Gen. Ambrose E. Burnside in Providence, July 4, 1887, and the historical discourse before the Rhode Island Historical Society at the celebration of the one hundredth anniversary of Rhode Island's adoption of the Federal Constitution. His last and perhaps his most eloquent address was on what was designated Battle Flag Day, October 17, 1903, when the stained and tattered colors which were carried by the various regiments of Rhode Island during the days of the civil war were transferred from the old state house to the new.

Ill health had forced him to retire from public life of which he had been a part so long, but surrounded by his old comrades-in-arms and these furled colors in the hands of some of those who had grasped them in the fury of battle, he seemed to be animated with the fire and spirit of earlier years, and his words were the most inspiring, patriotic and eloquent that he ever uttered; the former commander of one of the long term regiments whose record stood second to none, he would certainly have been excused had he made specific mention of the regiments of which he was a part, but in all that address, no direct allusion was made to any particular organization; there was honor and glory enough for all and no word or thought of criticism lingered in the minds of one of those old soldiers after that address had ended.

Upon retiring from the bench, he took an office in the Rhode Island Hospital Trust Company building more "to keep in touch with men and affairs," as he expressed it, than for any business purpose, he had been too long engaged in the active life of the city to withdraw entirely from these associations of years. Continued ill-health finally caused him to give up his office and a serious illness kept him confined to the house and under the physician's care for many weeks. He rallied, however, from this illness, and, during the last few months of his life, spent several hours each day, when the weather was suitable, in the open air driving or walking. The day before his death he had taken this customary outing and returned to his home seemingly more refreshed and brighter than he had appeared for some time. Soon after nine o'clock he retired to his room for the night and a few minutes later

was stricken with hemorrhage of the brain, and at 3.30 o'clock on the morning of November 12, 1904, without regaining consciousness, he died. His widow, two sons and a daughter survive him.

Horatio Rogers was a noble type of the true Christian gentleman. In every position which he occupied, he did his full duty. As a soldier he looked to the welfare of the men under his command and won their love. He could lead them amid the storm of shot and shell on the field of battle, but it rasped his sensitive nature to be obliged to punish them for breaches of discipline in camp; but when that duty became necessary, that gentleness was brushed aside and he became the stern, firm commander.

There was a fearlessness in his character which in every position he filled had its own peculiar example. His surviving brother officers of the Third regiment will vividly recall many acts of bravery which will remain stamped indelibly on their memory as long as life lasts. He was sick and confined to his bed when the order came for the expedition to James Island. The regimental surgeon had forbidden him to leave his tent as he was in no condition to endure the hardships of active campaigning, yet when he found his company was among those detailed to take part in this expedition, he got up from his sick bed, assumed his position at the head of his company and shared all the dangers and fatigue of that occasion. It was by sheer will force and nervous energy that he kept up, but he was too good a soldier to let any personal discomfort interfere with his duty, for he believed that whatever those

under him were obliged to undergo, in that, he also should share. Upon the return of this expedition, he was completely prostrated and was again confined to his bed; yet, when he was informed that the bodies of those who had fallen in that conflict were about to be buried, as so often was necessary without the formalities of Christian burial, he again left his sick bed, took his prayer-book and over the bodies of his fallen comrades read the Episcopal service for the burial of the dead. Again, when the epidemic of yellow fever invaded the camp at Hilton Head and the exigencies of that condition demanded that the most heroic measures be adopted to prevent its spread, notwithstanding the horrors of the situation and direct orders that the infected quarters should not be approached by any of the officers or men in camp, with that grim determination so characteristic of him, he sat by the bedside of Col. Nathaniel W. Brown during his last few hours, wrote letters for him to his family at home and nursed and cared for others as tenderly as a woman, braving the danger of this contagion, because he believed it a duty he owed to his brother officers.

When he took command of the Second Rhode Island regiment, he did not receive a hearty welcome; he was regarded as an intruder and he came very near declining to accept the appointment. He was a young man and was new to the regiment. A few of his old friends who had known him at home, then in the regiment, sought to disquiet this opposition which was manifested towards him, and after some time their counsel prevailed and he was induced to reconsider the matter and accept the command; but when that sanguinary battle at Salem Heights and succeeding engagements developed

those acts of bravery, which brought to the Second regiment the thanks of the state it represented[1] and special mention in the orders of the commanding general, officers and men realized then, if they never knew before, that they had a commander to be proud of, and there was not a soldier of the "Second" from that day on but who would have laid down his life for his colonel and whose love and affection for him were the deepest.

"Every eye was upon our colonel," says one who was with the regiment, that May day in 1863, "for he had never been under fire with us, and we knew him only by reputation. 'Forward, Second Rhode Island!' was the word and away we went in line of battle to the brow of the hill. Gaining the crest, we gave the enemy a volley and received his fire in return. Forward again, and we charged down the hill with loud cheers. We were soon in the woods and hotly engaged. Three times Colonel Rogers carried the colors to the front, and, aided by the officers, rallied the Regiment to renew the battle. He is a brave man and the Second Rhode Island is more than satisfied with him."

Although admirably equipped for his profession, he cannot

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[1] Resolution of thanks to Col. Horatio Rogers, Jr., and the 2d Regiment Rhode Island Volunteers.

Resolved, That the thanks of the General Assembly be, and they are hereby, presented to Col. Horatio Rogers, Jr., and the officers and men of the 2d Regiment Rhode Island Volunteers, for the gallantry and bravery which they displayed at the battle of Salem Heights, in Virginia, May 3d, 1863, and for their soldierly conduct while retiring from the field of battle and recrossing the Rappahannock river; and that his Excellency the Governor be and is requested to transmit a copy of this resolution to Col. H. Rogers, Jr., commandant of said regiment, and another copy to the Secretary of War.

be said to have ever entered actively upon the practice of the law. To be sure he was much before the courts in the performance of his duties as Attorney-General for three terms, and in his private practice appeared occasionally; but during the years from 1873 until 1885 he was engaged in mercantile pursuits, and three years later was elevated to the supreme bench. He had that love of learning and patient industry of investigation, which with a natural temperament, peculiarly fitted him for a judicial career. He approached his seat on the bench with a full realization of its responsibilities and he met them fearlessly and completely. No lawyer ever appeared before him who had occasion to feel that his case was not thoroughly considered. This was done in no perfunctory manner, for no matter how trivial their cause or how little foundation there might be for their action, they were certain that their case would have complete examination and hearing before him. If there was anything in his course upon the bench that would be the subject of criticism, it would be that he was over cautious and considerate and entered into the subject more at length than appeared at times to be necessary; but those who knew Horatio Rogers knew that that habit of investigation was one so completely a part of his makeup, that he could no more avoid it than can water escape finding its level. He was no man to jump at conclusions, his findings were based on the results obtained only after the most careful and painstaking examination of the subject under consideration from beginning to end. If he appeared to give unnecessary work to himself it was because he lacked that faculty of approaching a conclusion by the most direct route. His written opinions were well studied, always

most carefully phrased and exhaustive of the subject under consideration. While that delivered by the Supreme Court of Rhode Island and written by him, "The Narragansett Indians," Rhode Island Reports, No. 20, page 715, shows the scholarly attainments of the historian.

He had that love for books that comes only from the cultured mind, and his library was the object of his deep affection and regard. It was while seeking literary treasures that he found the manuscript books of Hadden's Journal which he afterwards published and so copiously annotated. He was not a mere collector of books, but a profound reader, and gave to others through his published works, orations, and historical essays, the benefit of his broad reading, thorough investigation, and exhaustive research. His historical studies are of the highest character and authoritative of the subject discussed. In recognition of his scholarly attainments, Trinity College at Hartford, Connecticut, conferred upon him in 1896 the degree of LL. D.

My personal acquaintance with Horatio Rogers began with the appointment of this commission, and the associations thus formed ripened into a friendship which terminated only with his death.

I doubt if any public duty which he ever was called upon to perform was so much to his taste, so much of real interest, and for which he had a stronger attachment than was this work relating to the preservation of the ancient records of his native city. As I have stated previously, his appointment to the commission was unsought and unexpected, but his well known interest in such matters, his position at the head of the state

historical society, and the fact that he had long advocated the printing of these records naturally caused him to be selected for the work when it was begun.

It was only a short time after his appointment that he was elevated to the supreme bench, and the duties of this office engaged much of his time, yet, for a long period thereafter he devoted evening after evening to the work of formulating plans and discussing methods of procedure so that the work contemplated should be begun under such circumstances as would insure its being carried out in a manner consistent with its importance.

During all these years we were associated together, there never entered into our debates or considerations the slightest discordant note or disturbing word or thought. He took up the work as did his associates without promise or thought of reward of any kind, save that which comes from a duty well performed, and he gave to it all the benefit of his broad culture and peculiar talent.

It was, perhaps, in the order of nature that the youngest member of the commission should have been left to complete the work which had been planned, and, though the duties have been made heavier and the work robbed of its pleasures by the death of my associates, I feel that I am completing what they had planned to do in finishing these volumes, which have so long been the subject of our earnest solicitude. Though the work has been arduous and has taken time that might have been otherwise employed, yet the associations connected with it has made it a pleasant pastime. I shall always remember

with pleasantest memories the years thus spent, but beyond all I feel proud of the honor it brought in having had so long the friendship and companionship of such a man as Horatio Rogers.

EDWARD FIELD,
Record Commissioner.

PROVIDENCE, December 29, 1904.

[**December 7, 1681.**] Att a Towne Meeting December : ye : 7th : 1681 : Voated that John Dexter hath libberty to fence in about two Acres of ye Townes Comon which is a bout by him to be fenced in, that soe his fence may runn strait being about to fence in his meadow : the which Comon lieth against ye sayd mead|ow|, and ye said Dexter will sattistieye Towne for it, when ye Towne shall settle ye highway yt goeth through ye sayd Dexters land, The meetting is Ajorned. [*Town Meeting Records No. 3, page 56.*]

[**February 19, 1682.**] At a towne Meeteing ffebruary ye 19th : 1682. Vpon a bill put in by John Wilkenson & John Prey, Edward Smith & Eliazer Whiple are by ye towne deputed to state a highway at or about Loquasquassuck to goe up into ye Countrey. And make theire returne to ye next meeting. [*Town Meeting Records No. 3, page 73.*]

[**April 28, 1684.**] At a Towne meeteing Aprill ye 28th : 1684 : Whereas there hath benn a bill preferred to ye Towne for State-ing a Comon highway, or Roade, over Pautucket River both for Cart, drift, horse, & foote ; Jt is therefore ordred that ye way ouer Pautuckett River shall be & remaine at ye ancient & Comon Road at ye End of ye Hill on ye westerne part of John Scot his planting land, or field ; the which leadeth to ye plaine on Rehoboth side of ye River called ye westerne plaine. [*Town Meeting Records No. 3, page 81.*]

[**January 27, 1698-9.**] At a Towne meeting Quarter day January ye 27th : 1698–9 Whereas the Traine band who are under Cap^{tn} : Arnold are wanting of a Traineing place Convenient, & there being a place which may be sutable but part thereof is land belonging to

Valentine Whittman about one acre thereof; the which percell of land the sd Valt Whittman is unwilling to part with unless the towne will allow him 3 acres for the same; therefore in Consideration of a Traineing place that the Companey may not be destitude, the Towne doe order & Grant unto the sd valentine whittman that he shall have & take up 3 acres of land of the Townes Comon in some place on ye East side of ye 7 mile line which may be Convenient & not damnifieing any mans land nor highways, to make Recompence unto the sd Vatt: Whittman for ye aforesd perce taken out of his land.

The meeting is dissolved. / [*Town Meeting Records No. 1, page 33.*]

[**June 10, 1700.**] Munday the 10th of June 1700 the meeting is again in being

Tho: Olney Continues Moderat^{r}:

Whereas it hath this day been proposed that some Convenient percell of land may be stated to lie in Comon Continually to be for the use of millitarey affaires for training of souldiers & ctr; & also to a place to be for the vse of Buireing of the dead & many of the purchassers & Proprietors of ye lands of this Towne of Providence being now met together & Haveing Considered the matter doe apprehend it to be a sutable motion & Convenient the same to propogate; And for as much as it hath hitherto been omitted when it might (happely) been with more conveniency Effected, yet now well weighing the motion & finding that there is a nesessitye of the performing of the same; And if longer Omitted the more inconveniencye Will appeare; It is therefore by these presents Ordered detirmined & Agreed And by these presents doe hereby order detirmine & Agree that all those Comon lands lieing betweene the land belonging to Archibald Walker whereon he Now dwelleth; & Southward to brooke which Ru|n neth out of Samuell Whipple Sen^{r} his land whereon he now dwelleth & Eastward with the Highway & westward & norwestward with Moshosick River shall perpetually lie in Comon for the vses aforesaid & for other publick

uses as the Towne shall see cause not damnificing what is afore promised ;

And that a burieing place be bounded out of the said Tract of land in the place & what quantetye three men which the Town sall all make choyce of, shall appoynt, And if any appropreated landes lieing within the boundes afore spesified be at any time layd downe to Comon it shall continually in Comon Remaine & not be appropreated to any person. Any former act, order or Clause therein to the Contrarey hereof Notwithstanding. /

Major Wim : Hopkins Capt^n : Jo^n· Dexter & Tho : Olney sen^r : are the three men Chosen to bound out & State the afores^d buring place, & to doe it with what Conveniency may be & make their Returne to the towne. [*Town Meeting Records No. 1, page 40.*]

[**July 28, 1707.**] At a Town Meeteing being quarter day July ye 28 : 1707 : by Reason yt by Reason yt ye 27th day fell to be upon ye first day of ye weeke,—

Ordered that a Traineing place shall be stated out for ye Southerne Companey of souldiers to Exercise in, where it may be | convenient | on Providence land & yt ye Major shall appoynt y^e Place where it shall be, & one or other of ye Towne Surveiors to bound it out, & if it should be upon any Mans land which is appropriated ; & if ye Person whose land it is will give way yt it shall be on his land, then satisfaction shall be made him in land out of the Townes Comon ; but if there be not a freedome to give way then to state sd Traineing place on ye Comon land ; And that ye traineing place not to Exceed four acres of ground. [*Town Meeting Records No. 1, page 68.*]

[**April 27, 1708.**] Town of Providence to Henry Adams—Grant. Whereas upon the 27th, of Apr. 1708 the purchasers & Town of Providence being together at their meeting : Upon the request of Henry Adams of this town of Providence they granted unto him over the way against the west end of his home lot in sd. Providence town a quantity

of land of 50 ft. square to set a house on. The which sd. quantity of land was soon after the grant thereof laid out & bounded to the sd. Henry Adams in order to the towns grant & he the sd. Henry Adams posessed therewith & since upon ye same hath built a house.

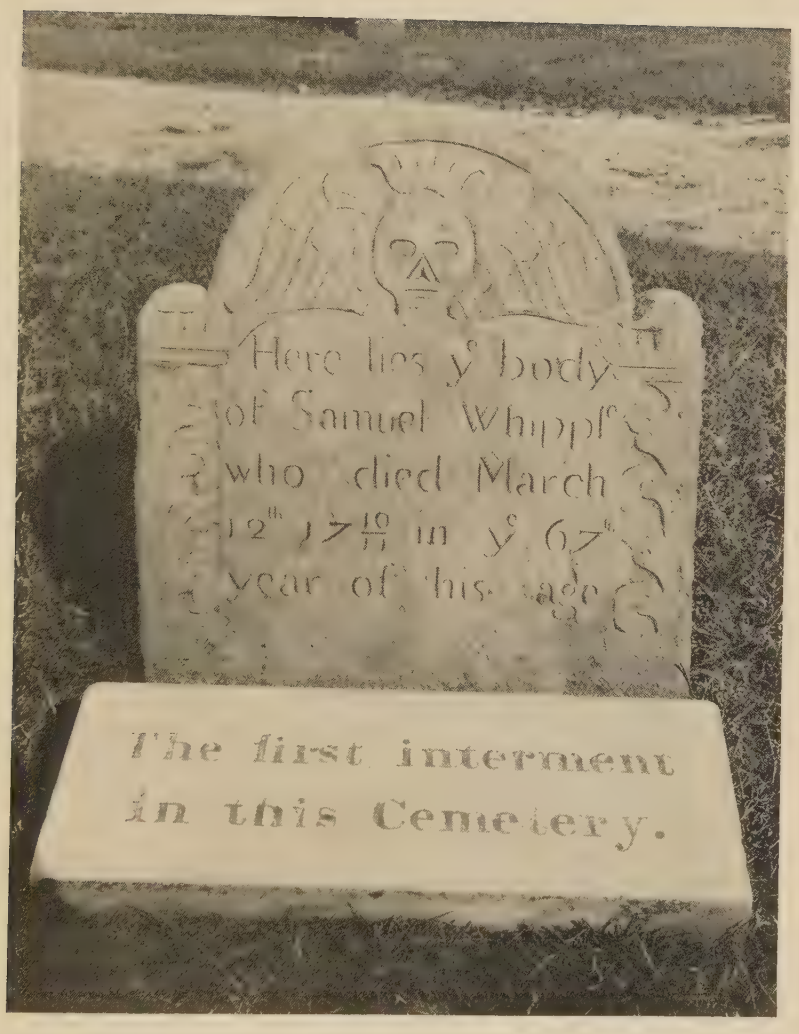
Laid out by me Tho's Olney Jun.
Surveyor

Recorded May ye 22nd 1711.
Tho's Olney
Clerk.

[*Deed Book No. 2, page 191.*]

[**April 28, 1712.**] At a Towne Meeting quarter day 1712 Reason the 27th day fell to be on the first day of the | week in the | month of Aprill this yeare, the meeting held on ye 28th of ye month.

Where|as| there was a bill preferred this day to ye Towne by severall Persons, Namely, Samuell Wilkinson Jun^{r}, Tho. Smith Samuell Aldrch & Hasadiah Comstock Requesting of the towne that the Highway through the Northerne part of the Towneshipp might be run out northward so farr as the inhabitants do any of them dwell that so it may knowne where it is, that so it may be repared from time to time & kept in a Condition for People to pass in; the Towne haveing Considered | s^{d} bill | do order that the Townes two Surveiors for the laying out of land on ye East side of ye seven mile line shall some time in the month of May in this presant year 1712: State out a highway for a Common Roade beginning at the northerne End of that part of said Roade in that Tract of land belonging to Edward Inman & his partners | which formely was runn | on the hill called Wesquadomeset hill the said Roade haveing already been runn so farr Northward as a little way northward from Nathaniell Mawryes now dwelling house; the which said highway is to be four poles wide; and at the northerne End of that part of said highway so farr Runn to take it & State it along that breadth northward through that Tract of land belonging to sd Inman & his Partners



Samuel Whipple was the son of John Whipple, formerly of Dorchester, Mass. He married Mary Harris, daughter of Thomas Harris of Providence. He held office as town constable in 1688 and was a deputy to the General Assembly in 1691.

so farr as the Cedar swamp lieing on the Norwesterne part of said Tract of land; And then still to Continue the sd highway along Northward as farr as our Townes inhabitants do dwell & so over that branch of Pawtuckett River which Runneth by the North End of Wansokett hill so farr as the sd surveiors shall judge it may be Convenient at presant to do; And it is also ordered that the said two surveiors for their stateing out of the Sd Highway shall be payd out of the Towne their Treasury And as | for | Restetution for the land which may be taken out of any persons Proprietye to make the Highway on ye south side of the aforesd branch, the Towne have determined that ye proprietors of those lands shall Beare it themselves it being a Gift from the Towne which had the satisfaction in it selfe sufficiently for Highways
And as for Ed Inman & his partners tract by agreement the Towne Reserved a highway through it. [*Town Meeting Records No. 1, page 87.*]

[**October 27, 1712.**] At a Towne Meeting quarter day October the 27th 1712.

It is ordered that the Highway to leade to Pautuckett shall goe out of the Country Roade way towards Loquasqasuck on the north side of the Valley called ye Great Meaddow Hollow; & so to leade away Eastward between sd Williams his land & ye land of James Young: /

the meeting is desolved. [*Town Meeting Records No. 1, page 88.*]

[**May 6, 1713.**] Act of the General Assembly. Whereas complaint hath been made to this Assembly that the public road leading through this colony from Pawtucket river to Pawcatuck river is in several places stopped up, crooked and not passable for travellers; and the Assembly taking the same into consideration, have nominated and appointed a committee of five men viz: Mr. Philip Tillinghast for the town of Providence Mr. Malachi Rhodes for the town of Warwick Capt. Thomas Prye, for the town of Greenwich; Mr. George Hassard for the town of Kingstown and Capt. John Babcock for the town of Westerly

to be a committee for the regulating the said Common road, and if need be, to lay open any mans land or freehold, for making the same more straight fair and passable Always provided, that due satisfaction may be made to such person or persons as may be hurt or damnified thereby.

Also His Honor the Governor is hereby fully empowered and desired to grant and issue forth his warrant or commission with such needful instructions and directions as to him shall seem meet for the accomplishment thereof; and to state and prefix the time when said work shall be begun and finished and the charge of the said Committee and those attending them shall be paid out of the general treasury. [*Rhode Island Colonial Records Vol. 4, page 151.*]

[**March 9, 172 2-3.**] Vpon the petition of Mr. Richard Brown and Jeremiah Browne It is voated and ordered that there shall be a Revisal of that highway of two poles wide by the 18-foot pole ReLayed from the brooke neere Jeremiah Brownes Dwelling house to the highway that Leads to Pawtuckett bridg; and that Coll. Joseph Jenckes and Justice Richard Brown shall take Care to |Re |Lay| or Revise| said way and make Returne of their preceedings to the next sitting of the Councill; [*Town Council Records No. 2, page 58.*]

[**July 27, 1727.**] Att a Towne quarter meeting held att Providence this 27th day of July anno Dom 1727—

It is voated and ordered that Mr. William Turpin shall Repaier the Towns Pound and sett it up in sum Conveniant place upon the peice of Land that was stated for a burying palace and Traineing place and also to Repaiere the stocks and whiping post; and have his pay out of the Towns Treasurey

Tho meeting is desolved — [*Town Meeting Records No. 4, page 10.*]

[**February 8, 1747.**] Voted that there be added to the public burying place at the north end of the town of Providence so much of

the Proprietors Common Land ajoyning thereto as to make up the whole ten acres with what is already granted for that purpose and that Capt. Richard Sayles John Aldrich and Gideon Comstock are appointed a committee to survey and lay out the same and make return to the next meeting with an account of what common land there remains belonging to the proprietors. [*Providence Town Paper No. 0968.*]

[**June 10, 1748.**] Voted that whereas the committee that was appointed to inspect in and find out what common lands there yet remains at the town of Providence adjoining to the burying place belonging to the proprietors made a report that they had not found any such land at that place and the committee present their account of thirty shillings due to each of them for their service amount to four pounds and ten shillings which is allowed and ordered to be paid to Capt Richard Sayles John Aldrich and Gideon Comstock the said Committee. [*Providence Town Paper No. 0968.*]

[**January 14, 1750.**] At a Town Meeting held at Providence on ye second Munday of January being ye 14th of sd Month A. D. 1750 being caled by warrant.

Vpon the Petition of John Anthony Angel Praying that the Town wold be pleased to grant him the Libirty of an acre or half of one Acre of Towns Land neare the burying Ground next adjoining to his own Land there in order to Jnlarge his gardin on such Conditions and for such Time as The Town shall think proper: Vpon Consideration Whereof it is Voated and Ordered by this Present meeting that the Prayer of said Petition be granted; and That Cap.t Stephen Dexter Stephen Hopkins Esq. and Mr Elisha Brown be and they are hereby appointed to Jnspect into bound out and Lease vnto the said John Anthony

Angel so much land that belongs to the Town not Exceeding one acre at such terms as they thing proper and for any term not Exceed-

ing foure years and that sd Angel is bound at the Expiration to deliver peacable possession to the Town or their order. [*Town Meeting Records No. 5, page 27.*]

[**June 6, 1763.**] Voted and resolved that George Jackson, Samuel Currie and James Angell or any 2 of them be a Committee to revise the bounds of the land granted by the Proprietors for a burying place and the lands up the river against the high bank together with a true representation of the grant of said Burying place and of all persons that are on the said lands & make report to the next Town Meeting. [*Town Meeting Records No. 5, page 107.*]

[**August 30, 1763.**] Voted that Mr. Nicholas Brown and John Jencks be added to the former Committee appointed to revise the bounds of the land granted for a burying place &c and that any three of said Committee are hereby ordered to make report agreeable to the former vote of the town at the next town meeting. [*Town Meeting Records No. 5, page 108.*]

[**June 4, 1764.**] Report. We the Subscribers being Appointed by the Town of Providence at their Meeting held in August Last To Revise the Bounds of the Land Granted by the Proprietors for a Burying Place at their Meeting held on the Tenth of June 1700 at Which Meeting it was Granted Ordered Determined and Agreed and by these Presents Do hereby Order Determine and Agree that all those Common Lands Lying Between the Land Belongin To Archibald Walker Whereon he now Dwelleth and Southward to the Brook Which Runneth out of Samuel Whipple Senors his Land Whereon He now Dwelleth and Eastward with the Highway, and Westward and Northwestward with Moshausick River Shall Perpetually Lye in Common, for the Use aforesaid and for other Publick uses as the Town Shall See Cause Not Damnifying

what is afore Previously laid ( ) a Burying place be Bounded out of

ye said Tract of Land in the Place and What Quantity three Men Which the Town Shall Make Choice off: Shall appoint and if any appropriated Lands Lying within the Bounds affore Specified be at any Time Laid Down to Common it shall Continually in Common Remain and Not be appropriated to any Person; and former Act Order or Clause thereof to the Contrary hereof NotwithStanding, Now We the Sd Committee having Mett and Notified all Persons Claiming Lands Within the Bounds above Specified and Have Surveyed the Lands granted for Said use Beginning as follows To witt at the Corner of the Wall Near an Apple Tree on Benjª Whipple Land then N 43: E 40: & 15 Links to the S W Corner of Jos Owens Wall: Thence North 35 E. 70 Near an apple Tree thence North 32. E 46: 32 Links by the Corner of the Wall by Herendens Lane then 5 Rods Across the Lane To the S W Corner of Jeremiah Dexters House Then ofsett 8 feet Westward and then the Course N 30: E 24: and 16 Links To the Corner of Dexters Wall, then North 27 E: To a Walnut Tree 39 Rods from thence N 42: W: 13: Rods across the Rhode to a Black Oak Tree Marked and an Bound of Archabald Walker's and now cut Down by Peter Randall, then W 18: S 32: to a Small burch Tree now cut Down, thence West 30: S 22 to a small white oak Marked then N 45 W. 19 To a Small White Marked, then W 28: N 5 and Eight feet to a Small White Oak marked then: 1 1/2 to a Small White oak Marked 8 Rods & ten feet it Being James Clarks Corner; Then S $29\frac{1}{2}$ W 22 Poles to five Large Stones, then S 8 W: 85: To a Large Branch of Barbery Bushes for the end of the Ditch Belonging to Heirs of Bateman then S 6 1/2 E: 35: in the range of the Ditch till it Comes to the S E Corner of Elisha Browns House. then South 6 1/2 E 15: pole to the End of the Wall the East 8 ( ) S: to the first Mentioned Bound across the High way: And We do likewise Report, that Benjª Whipple, Benjª Cuzzens, William Brown John Healy, Luther, James Clark and Bateman Heirs are on the Said Burying Land according to the Several

Pricked Lines in the map Herewith Presented[1] Marked A Surveyed by Henry Harris Surveyor Providence June 4th 1764.

James Angell
Nath[l] Brown
John Jenckes
Sam[l] Currey

At a Town Meeting held at Providence On the 4th Day of June 1764 the Aforewith Report Was Accepted

Test James Angell Town Clerk.

[*Report on file in case 1338 Supreme Court. Whelden vs. Martin March term 1852.*]

[**June, 1765.**] An Act for Dividing the Town of Providence.

Be it Enacted by this General Assembly and by the Authority thereof It is Enacted That the said Town of Providence be, and the same is hereby divided into Two distinct and separate Towns: And that the Bounds of the Northern Part, hereby set off begin at the new Bridge, near to the Hill called Solitary-Hill; thence bounding on Wanasquatucket River until it comes to the North West corner of the Town's Land at the East End of a Place called Forestack Meadow; thence Easterly on a strait Line to the Middle of the Mill Bridge; thence on a due East Line until it comes to Seaconck River, so called; thence Northerly and bounding on said Seaconck River, until it comes to Smithfield Line; thence bounding by Smithfield Line until it comes to Johnston Line and thence bounded Westerly by Johnston Line until it comes to the aforesaid Solitary-Hill; That all the Lands included within the Limits aforesaid shall be and hereby are erected and made in to a Township, to be distinguished called and known by the Name of North Providence. [*Acts of General Assembly, June Session, 1765, page 31.*]

[1] See plat A

[**September, 1765.**] Whereas Henry Harris Esq and Col. William Brown, presented into this Assembly the following Report and Account to wit :

We the Subscribers being appointed, by the Hon. the General Assembly at June Session, A. D. 1765 to run the Line between the Town of Providence and North Providence did pursuant thereto, on the First Day of July A. D. 1765, meet at the North West Corner of a Lot of Land called the Towns Land, at the East End of a Place called Forestack Meadow ; and from thence we ran a Line East near Twenty two Degrees North, to the Middle of the Bridge called the Mill Bridge and erected several Monuments in said Line ; and from the Middle of said Mill-Bridge we ran a due East Line to Seaconck River, so called erecting Monuments, and marking Trees in said Line.

Witness our Hands

Henry Harris
William Brown

The Colony Dr–

To our Time and Trouble in running the said Line £0-12-0 And the Premises being duly considered, It is Voted and Resolved That the foregoing Report be accepted : That the Account of the Committee be allowed ; and that Twelve Shillings, Lawful money, being the amount thereof be paid the said Henry Harris and William Brown out of the General Treasury. [*Acts of General Assembly, September Session, 1765, page 46.*]

[**June, 1767.**] Whereas divers Freeman of the Town of North Providence preferred a Petition and represented unto this Assembly, That by the late Division of the Town of Providence a large Number of Inhabitants belonging to the Compact Part of the Town of Providence, were incorporated into the town of North Providence ; and that the greatest Part of the Inhabitants so taken off are Merchants and Trades-

men and are thereby so much connected with the Inhabitants of the Town of Providence, that remaining in their present separated State is greatly to their Disadvantage; and thereupon prayed, That that Part of the Town of North Providence heretofore commonly called the Compact Part, may be reunited to the Town of Providence from whence it was taken, by a strait Line beginning at the Southerly End of the Meadow called Four-Stack Meadow to the North West Corner of the burying Land, and then Easterly and Southerly by said burying ground as by the Plat thereof, until it comes to the Lane called Herrington's Lane, then Easterly by the North Side of said Lane 'til it meets with the South West Corner of the Land of Joseph Olney then crossing said Lane due South until it comes to the South Side of said Lane, then extending Easterly as said Lane runs bounding Northerly by said Lane until it comes to the dividing Line between the Land of William Brown and Phineas Brown; and then by said Line Easterly to Seaconck River: and further prayed, That the Inhabitants of the Town of North Providence may forever have and enjoy the full, constant and free Use, Privilege and Improvement of the said burying Ground, for burying their dead making Monuments for the same; and for mustering their Trained Band and exercising their Soldiers, thereon and also further prayed That the aforesaid North Part of the Town of North Providence when reunited to Providence may be forever indemnified from any Charge or Expence that may accrue to the Town of Providence on account of their not paying the Two last Rates imposed on said Town And the foregoing Petition being duly considered, Be it Enacted by this General Assembly, and by the Authority thereof It is Enacted, That the same be and hereby is granted. [*Acts of General Assembly, Jun. Session, 1767, pages 41 & 42.*

[**July 1, 1771.**] At a Town Meeting Held at Providence on the 1st Day of July A. D. 1771 by adjournment and Warrant.

The "Small White Oak" referred to in the survey of the Burial Ground of June 4, 1764. See eastern bounds of grounds on plats A and B, marked "W. oak" and "white oak;" also page 9, at beginning of twenty-second line.

Voted that the Committee appointed to Regulate persons in Erecting Buildings and Fences, repaire to Peter Randall and Order him to Desit building his wall on the Land Layed out for a Public Burying place and if he refuse to Remove the same then the Said Committee have hereby Directed to have him the Said peter Randall Indited for the same. [*Town Meeting Records No. 5, page 179.*]

[**July 8, 1771.**] At a Town Meeting held at Providence by andjournment on the 8th Day of July A. D. 1771 and Likewise by warrant.

We the subscribers agreable to our appointment at the Last meeting have Repaired to peter Randall and have Desired him to Desist building his wall on the burying ground which he promises to Comply with.

I Angell.
Benj Man.
John Brown.

[*Town Meeting Records No. 5, page 180.*]

[**January 4, 1772.**] To the Honorable Town Council of North Providence in the county of Providence and at their sitting on Saturday the 4th of January A. D. 1772.

The petition of us the subscribers humbly showeth that whereas there was formerly a highway ordered to be laid out over the bridge now called Dexter's bridge northerly along by Capt John Powers house but by return of said way there seems a great mistake from a pine tree now the corner of Christopher Dexters land which rangeth N 20 D west 346 poles thence N 13 D east 90 poles to Youngs now where Capt Power lives which course and distance carryes the highway where no teams could go. Therefore it is prayed your Honors will order a Committee to begin at a stump by Peter Randalls house and relay said road to Smithfield line as near where it was intended as they can. And your petitioners as in duty bound will ever pray.

Jonathan Pike.

I the subscriber do sign the above petition with this proviso to begin at the first mentioned bound and run the same courses as is run in the original return & where said mistake is to rectify the same.

Jos Dexter.
John Tucker.

Mr. Jonathan Pike and others presented a petition to this council requesting that the said council would choose a committee to revise and relay the road that leads from Providence to Smithfield by the house of Capt. John Powers whereupon the council granted the same and appointed Capt. Eseck Hopkins Gideon Jenckes & John Comstock Esq. a Committee to relay said road and make report to this Council.

At a town Council held in North Providence in the county of Providence on January ye 4th A. D. 1772 the above petition was laid before said Council and the said petition being considered it is granted and Capt. Eseck Hopkins, Gideon Jenckes & John Comstock were appointed a Committee to relay said way who are to begin at the stump mentioned in said petition & lay the said road as near as they can where the original way was laid. All which is promised to be done without cost to the town and make return to this council as soon as may be.

The above and aforegoing petition with the proceedings of the town Council thereon was recorded. January 4 A D 1772. Hope Angell Council Clerk. [*North Providence Probate Records No. 1, page 101.*]

[**June 20, 1772.**] At a town council held in North Providence in the county of Providence on the 20th day of June A. D. 1772

Capt. Eseck Hopkins & John Comstock Esq two of the committee appointed for laying the highway that leads from the Burying place over Dexters Bridge by the widow Martha Powers to Smithfield line presented a return of said highway to the above said town council that agreeable to their appointment they met on the sixth day of June A. D. 1772 accompanied by Gideon Jenckes the other of the Committee &

J. Thomas Whipple Justice of the Peace & Jonathan Pike town sergent and surveyed marked & bounded said highway from the Burying place to Smithfield line ; and the said return being read & no objection being made it is voted accepted Witness Hope Angell Town Clerk. [*North Providence Probate Records No. 1, page 112.*]

[**November 28, 1773.**] At a town council held in North Providence in the county of Providence on the twenty eighth day of November A. D. 1773.

Voted that John Tucker surveyor of that district of Highway that goes over the bridge called Dexters Bridge to Smithfield together with Jonathan Pike town sergent are hereby requested to remove such fence or other incumbrance within ten days from this date as are erected within the bounds of said highway which bounds were erected and established by Messrs Eseck Hopkins John Comstock & Gideon Jenckes who were a Committee appointed for that purpose by this Council. Witness Hope Angell Council Clerk. [*North Providence Probate Records No. 1, page 112.*]

[**June 3, 1776.**] At a Town Meeting of the Town of Providence held on the First Monday in June A. D. 1776.

Voted that Messrs John Jenckes Jabez Bowen, Nicholas Brown Ebenezer Thompson John Smith Col James Angell Col John Mathewson and Benoni Pearce Esq r be appointed a Committee to run out the Bounds of the Towns burying Land– To Calculate the Expense of erecting a Stone Wall around the same and to make Report thereof to the next Town Meeting. [*Town Meeting Records No. 6, pages 42 & 44.*]

[**November 23, 1776.**] At a town council held in North Providence in the county of Providence on the twenty third day of November A. D. 1776.

Whereas, the committee that was appointed by the town council of the town at their session held on the fourth day of January & thirteenth

day of May A. D. 1776 to revise or relay the bounds of the highway leading from the post road by Peter Randall Esq. over the bridge called Dexters to Smithfield line the last survey made some error, as their courses do not agree with the bounds and as the owners of the land which said way runs through are about fencing in their said land they have requested of this council to appoint a committee to relay & revise the bounds of said way. Whereupon it is voted by this council that Mr. Gideon Jenckes, Capt. Job Olney & Major Thomas Olney be & are hereby appointed to relay & revise said way as near agreeable to the bounds of the last survey as possible & make report of their proceedings at the next meeting of this Council. And that William Bagley Esq. be appointed to attend said Committee as Justice of the peace & Jonathan Pike town sergent is also appointed to attend said committee in relaying & revising said highway. The above written voted & past. [*North Providence Probate Records No. 1, page 138.*]

[**March 22, 1777.**] Report. We the subscribers being appointed by the Town Council of North Providence on the twenty third day of November A. D. 1776 to revise the bounds of the road leading from the Post Road over Dexter Bridge so called to Smithfield line; in obedience to our appointment we met on the sixth day of December A. D. 1776 and set off at a large black oak stump standing near Peter Randalls Esq. well ranging N. 5 D. E. 9 rods to the middle of said Randalls shed then N. 4 D. W. 40 rods wanting seven links to a wild cherry tree then N. 40 D. W. 25 rods to a stake & stones near the little bridge then N. 54 D. W. 11 Rods to a stake & stones about it, then N. 27½ D. W. 11 rods acrost the river to a stake & stones, then N. 16 D. E. 31 rods wanting two feet to a stake & stones, then N. 16 W. 8 rods to a long stone set in the ground then N 50 D. W. 15 rods to a stone sett in the ground then W. 24 D. N. 21. rods to a heap of stones at the corner of the fence then N. 41 D. W. 14 rods to a poplar tree marked then N. 27 D. W. 30 rods & six links to a stone set in the ground then

N. 10½ D. W. 10 rods to a stone set in the ground then N. 13½ D. W. 49 rods to a stone sett in the ground then N. 16 D. W. 20 rods to a large pine tree marked by the corner of Christopher Dexters fence then N. 22 D. W. 22 rods to a stone sett in the ground by Jno. Tuckers dwelling house then N. 18 D. W. 22 rods to a stone sett up then N. 21 D. W. 106 rods to the stones by Owens fence about six feet north of a black oak stub in said fence then N. 14 D. W. 30 rods to a stake & three stones sett in the ground then N. 4 D. E. 30 rods to a large red oak tree marked then N. 10 D. E. 32 rods to a stone sett in the ground by Durfeys bush fence then N. 30 D. E. 58 rods ranging with a large oak tree to a stone sett in the ground then North 30 D. W. to Smithfield line.

Be it remembered that the said road lyeth on the east side of the above boundaries, and layed the same wedth that it was layed by Esek Hopkins Esq^r John Comstock Esq^r and Mr Gideon Jencks which fully appear by their return and plan of said road

All which is submitted to your honors by your humble servants.

N. Providence
March 22, 1777.

Thomas Olney
Job Olney
Gideon Jenks

[*North Providence Council and Probate Records A, page 171.*]

[**March 31, 1777.**] At a town council held in North Providence county of Providence on the 31st day of March 1777 the within written return of Highway being laid before said Council and the same being considered it is allowed to be good and lawful return and order it to be recorded.

Pr. Hope Angell Council Clk. [*North Providence Council and Probate Records A, page 171.*]

[**April 21, 1784.**] At a Town Meeting of the Freemen of the Town of Providence Legally assembled on the 21st Day of April A. D. 1784.

Whereas it is represented to this Meeting that the Highway between the Dwelling House of Mr Amasa Gray and the Burying Place is

Crooked and in some Places Too Narrow and that it will greatly Benefit the Publick to have the same Widened– It is therefore Voted and Resolved That the same Committee take the same into Consideration and Report what they shall think best to be done thereon to the next Town Meeting (Note Wm Wheaton, Amos Atwell and James Arnold Esq are the Committee referred to.) [*Town Meeting Records No. 7, pages 14 & 16.*]

[**June 7, 1784.**] At a Town Meeting of the Freeman of the Town of Providence Legally assembled at the State House in said Providence on Monday the Seventh Day of June A. D. 1784.

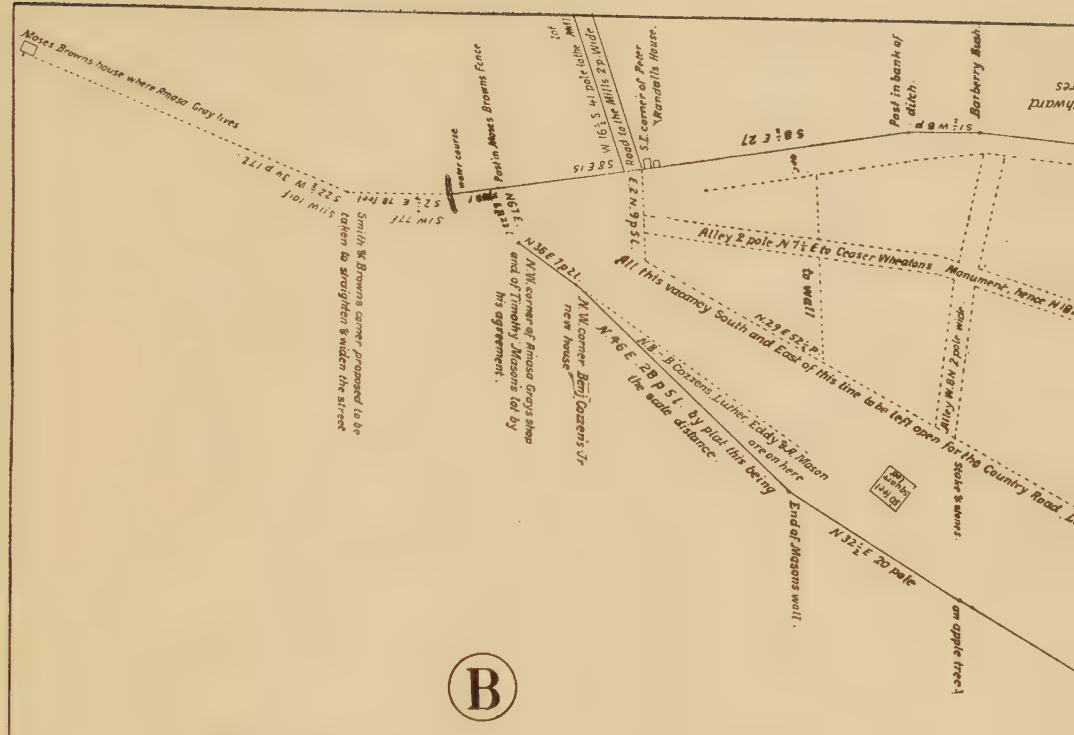
The Committee appointed on the 21 st Day of April Last to take into Consideration the propriety and Expediency of Straightening and Widening the Highway between the Dwelling House of Amasa Gray and the Burying Place made Report as on File. Which Report is Referred for further consideration.

Resolved, That the committee lately appointed to revise Benefit street be also now appointed with John Jencks Esq. a committee to Revise and ascertain the Width and Boundaries of the highways from where the highway parts from that leading over Mill Bridge to Herendens lane. That they also ascertain the boundaries of the Burying place and lay out in and round the same proper lanes or avenues for passing in and through the same not to be filled up and to estimate the expense of walling in the said Burying place and report the whole to the Town Meeting as soon as may be. [*Town Meeting Records No. 7, pages 18 & 22.*]

[**October 21, and November 4, 1784.**] Journal and Report of the Town's Committee for surveying the Street from Doctor Arnolds Northward: The Burying Ground and Benefit Street.—1785—

21st of the 10th Month 1784

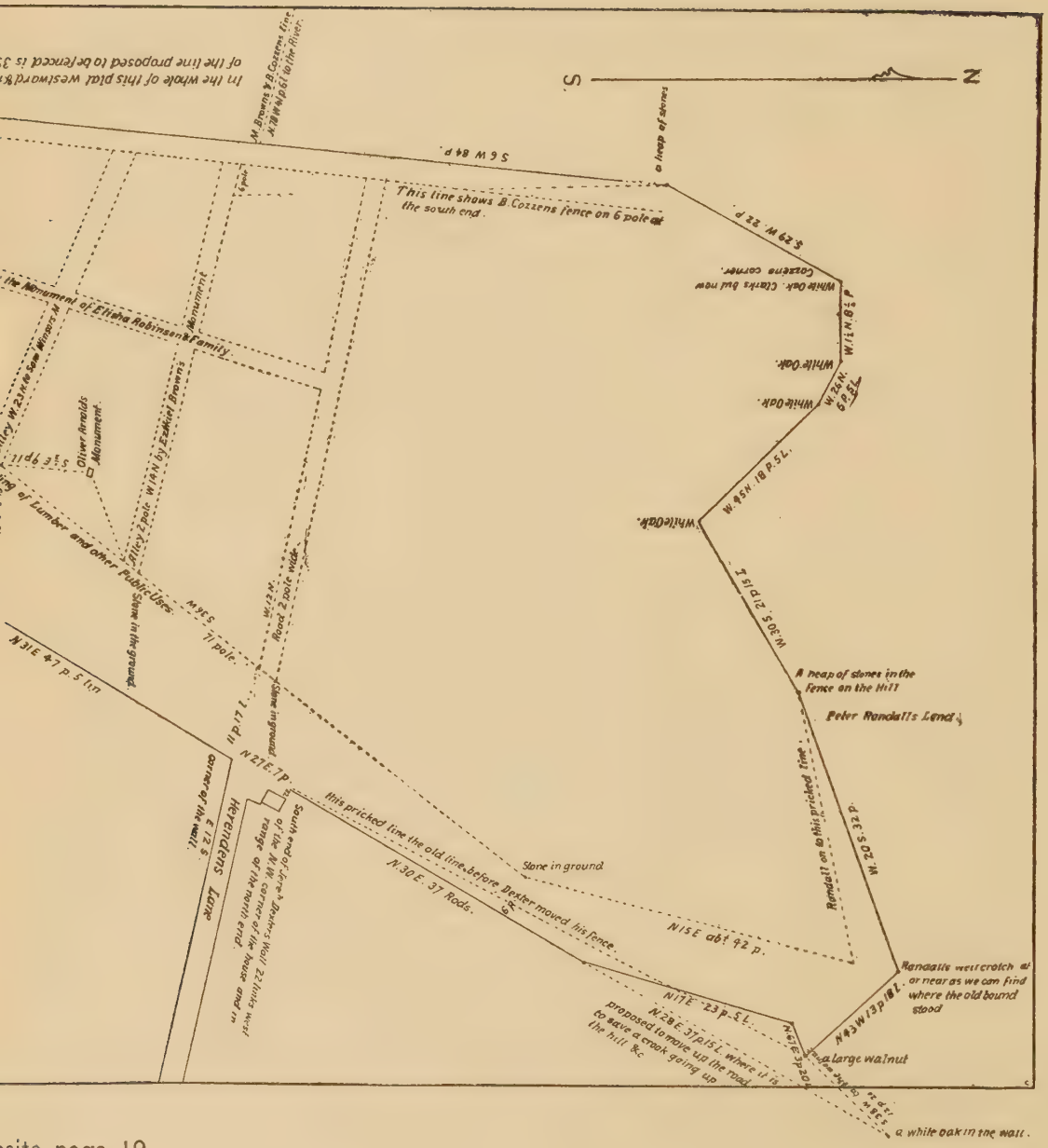
Began to survey the street taking our set off from the weather board of the South East Corner of Doctor Jonathan Arnold's Shop


Moses Browns house where Amasa Grey lives
Post in Moses Browns Fence
Road to the Mills 22 1/2 Wide
S.E. corner of Peter Randalls House.
Post in bank of ditch.
Barberry Bush
Alley 2 pole N 7 1/2 E to Crosier Wheatons Monument, hence N 18
All this vacancy South and East of this line to be left open for the Country Road.
Alley 2 pole wide
Scrag & bank
End of Masons wall.
an apple tree
B

Platt of the Burying Ground.
Containing about 52 acres
Drawn on a scale of 0 100 200 300 600
by Moses Brown one of the Committee of the Town appointed 7th of 6th mo 1784. From a journal of that Committee from which a fairer copy is intended to be made when approved by the Town.

The others of the Committee are Jabez Bowen, Ebenezer Thompson, Stephen Hopkins, Joseph Brown and John Jenckes
Report accepted 29th 7th mo 1785 by the Town

(Original on file in City Engineer's Office)


S
N
S 6 W 84 p.
a heap of stones
This line shows B. Cozzens fence on 6 pole at the south end.
S 29 W. 82 p.
White Oak. Claims but now Cozzens corner.
W. 1 N. 85 p.
White Oak.
W. 2 N. 6 p. 5 L.
White Oak.
W. 45 N. 18 p. 5 L.
White Oak.
N. 30 E. 21 p. 15 L.
A heap of stones in the fence on the Hill
Peter Randall's Land
Randall on a this pricked line.
N. 20 E. 32 p.
Randalls west crotch at or near as we can find where the old bound stood
N. 18 E. 3 p. 45 W.
a large walnut
N. 45 E. 3 p. 50 W.
a white oak in the wall.
N. 15 E. 23 p. 5 L.
N. 28 E. 37 p. 15 L. where it is proposed to move up the road to have a crook going up the hill &c
N. 15 E. about 92 p.
Stone in ground
N. 30 E. 37 Rods.
this pricked line the old line before Dexter moved his fence
N. 21 E. 7 p.
Heyrichens Lane
Corner of the wall.
S. 12 p.
South end of Heyrichs Dexters wall 22 links west of the N. W. Corner of the House end &c
Same removed
Road 2 pole wide
W. 12 N.
Oliver Arnolds Monument
Monument of Elisha Robinson & Family
Monument
Valley 2 pole W. 1 N. by Ezekiel Brown
Valley W. 21 links Sam Winsor's
Stone in the ground.
Heap of Lumber and other Public Uses
N. 31 E. 47 p. 5 l/n
In the whole of this plat Westward & of the line proposed to be fenced is 3

osite page 19.

* * * * The Street here is 49 feet across to the N. W. Corner of John Turpins Widow's House. From Randall's Corner N. $17\frac{1}{2}$ E. 323 feet to the Corner of Timothy Sheldons Shop adjoining his House, thence N. 17 E. to the N. E. Corner of the Pentis of Nash's House 153 feet. The lane here leading to the River should be two poles or 33 feet wide but said House appears to be $10\frac{1}{2}$ feet on the Lane allowing 100 feet for the two Lots. The Street here is 50 feet wide from the Corner of said Pentis to the S. E. Corner of Moses Brown's House where Amasa Gray lives, N. 20 E. 181 feet (Note This distance is probably 281 feet See map made by Wm. S. Haines April 1860.) the Street here is 52 feet wide.

From the said Corner to the S. E. Corner of William Smith's Lot N. $22\frac{1}{2}$ E. 483 Feet, from thence N. 11 E. to Moses Brown's Lot 101 Feet; Thence N. 1 E. 77 Feet taking off 12 Feet from their peaked Corner, which continues the Road 52 Feet, the same width it is back Brown's part of the Land he agrees to give for accomodating the Road, and we now recommend that Smith's part be paid for to the full value of the damages, agreeable to Law and Equity. From the last course N. $2\frac{1}{4}$ W. 78 Feet to the Water Course, thence to the S. E. Corner of Peter Randall's House North of the Lane leading to Thurber's Mills N. 8 W. 343 Feet.

For the road over round and through the Burying Ground hill, see the Platt[1] thereof herewith presented.

4th of the 11th month 1784.

Began to survey the Burying Ground, setting off at the South end of Aaron Mason's Wall. N. $32\frac{1}{2}$ E. 20 Pole to an apple Tree, thence N. 31 E. 47 p 5 L. to the N. W. Corner of Amos Allen's Lot at Herrenden's Lane, thence across the Lane N. 27 E. 7 Poles to the South end of Jeremiah Dexter's Wall, which is in range with the North end of his House and 22 Links West from the N. W. Corner thence N. 30 E. 37

[1] See plat B.

Rods along said Wall and Dexter's fence. From this station we propose to the Town to apply to North Providence to have the Road moved or widened, up the Hill Eastward, to save a short Crook of going down and coming up again the Hill, then course would be N. 28 E. 37 Poles 15 Links to an old white Oak in the Wall from whence back to the great walnut, an old bound is S. 38 W. 12 poles 20 Links. N. 17 E. 23 poles 5 L. as Dexter's fence now stands, N. 67 E. 3 poles 20 Links to a large Walnut, an old bound N. 43 W. across the Road 13 poles 18 Links to Peter Randall's Well-Crotch being at or near the old bound of the last running as we can find.

W. 20 S. 32 Poles to a heap of Stones in the fence on the Hill, W. 30 S. 21 Poles 15 L. to a white Oak, W. 45 N. 18 Poles 5 L. to a white Oak. W. 26 N. 5 Poles 5 L. to a white Oak W. $1\frac{1}{2}$ N. $8\frac{1}{2}$ Poles to a white Oak, formerly Clark's now Cozzens Corner, S. 29 W. 22 poles to a heap of stones. S. 6 W. 84 poles to a post in a bunch of Barberry Bushes. S. $1\frac{1}{2}$ W. 8 poles to a Post in the Bank of a ditch. S $8\frac{1}{2}$ E. 27 Poles to the S. E. Corner of Peter Randall's House, S 8 E. 15 poles to a Post in Moses Browns Fence N. 67 E. 5 Poles 23 L. across the Road to the N. W. Corner of Amasa Gray's Shop and Timothy Mason's Land which he agrees to be bound Thence N. 36 E. 7 Poles 2 Links to the N. W. Corner of Benjamin Cozzens Jun's new House thence to the first bound being the Scale Line, which by the Platt is N. 46 E. 28 Poles 5 Links. Mr. Luther, Comfort Eddy, Aaron Mason and Peter Randall have encroachments on the Burying-Ground to be decyphered on the Platts, where also the cross-allys are decyphered. [*Book of Street Courses, pages 30, 31 & 32.*]

[**June 6, 1785.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the State House on the 6th Day of June A. D. 1785.

Resolved That the Committee appointed to Revise the Boundaries of the Streets &c. in the Northward Part of the Town be Empowered

to Exchange Land with those who have made Encroachments on the Burying Place for other Land or to agree for Pecuniary Compensation. [*Town Meeting Records No. 7, pages 34 & 39.*]

[**July 29, 1785.**] At a Town Meeting of the Freeman of the Town of Providence legally warned and holden on the 29th Day of July A. D. 1785.

Whereas it will be greatly to the Advantage of the Publick to Widen the Road or Highway leading down the Burying Place Hill towards Boston near North Providence Line and to lay out the Road further Eastward as thereby the Steepness of the Hill may be avoided and the Road be made more Straight It is therefore Voted That the same Committee who have lately Revised the Road in the Northerly part of the Town be and they hereby are appointed to make Application to the Town Council of North Providence Requesting them to Widen or lay out said Highway further Eastward accordingly so as to make the same as commodious as possible and that the said Committee be Empowered to Negociate and Transact any Matters which may be necessary for accomplishing the aforesaid Business. [*Town Meeting Records No. 7, page 40.*]

[**July 29, 1785.**] Whereas the honorable Jabez Bowen Esq. Mr Moses Brown and John Jenckes Esq. and Ebenezer Thompson Esq. the Committee who were appointed to Revise Benefit Street and ascertain and Establish proper Boundaries: to ascertain the Width and Boundaries of the street or Highway where it parts with that leading over Mill Bridge to Herrendens Lane to ascertain the Boundaries of the Burying Place &c having gone through that Business this Day presented their Report of their Proceedings therein with a Plat of the Burying Ground wherein is Decyphered the road and allies over Round and across the same &c as on File and the said Report having Now been Read in open town Meeting and Maturely and Duly Considered

It is thereupon Voted and Resolved that the said Report be Received. [*Town Meeting Records No. 7, page 42.*]

[**October, 1785.**] An Act for the Removal of the Remains and Monuments in certain Burying Lots, and for the Sale or Exchange of those Lots, under the Direction of the Town Council of the Town of Providence.

Whereas the first Settlers of the Town of Providence were in the Practice of burying the Dead in small yards in their own Lots, before the present large public Ground was laid out for that Purpose; but from the general Disapprobation of continuing to bury in such Lots, they have been for many years disused: And whereas, by the Increase of the said Town, divers Streets and Lanes have been laid out with which some of those Burying Lots interfere; and by Reason of their being left by Will, or reserved in Deeds for the purpose of Burying-Lots, they may continue for a long Time an Interruption And as in some Instances Doubts arise in Respect to the Right of those Decendants who have kept up the said Burying-Lots, to remove the Remains and Monuments to the common Burying-Ground, or into other Lots. Be it therefore Enacted by this General Assembly, and by the Authority thereof it is hereby Enacted, That it shall and may be lawful for the Town Council of the Town of Providence to make Inspection into the several private Burying Lots in the said Town, and such as they shall judge most for the public's Benefit to have removed, that they signify the same to the Person or Persons who hold the said Lots in Possession, or have been at the Expence of keeping up the Monuments and advise whether the same be exchanged for the same Quantity of Land in another Place, to remain under the same Tenure and Government as the other, and the Monuments and Remains to be removed therein; or otherwise that they be removed to the common Burying-Place belonging to the said Town, as the said Town Council shall think most proper, at the expence of those who hold the said Lots; and that the Proceedings

therein according to the Advice and Direction of the said Town Council, shall be good and valid to all Intents and Purposes. [*Acts of General Assembly, October Session, 1785, page 21.*]

[**June 18, 1787.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and held at the State House on Monday the Eighteenth Day of June A. D. 1787.

Resolved That the Committee to prevent Encroachments on the Streets &c be directed to inform the Persons who have encroached on the Common at the North End of the Town that they will be prosecuted unless they remove their Fences off the said Common as soon as they have harvested what is now growing thereon. [*Town Meeting Records No. 7, pages 111 & 113.*]

[**August 25, 1789.**] At a Town Meeting of the Freemen of the Town of Providence legally assembled at the State House in said Town on Tuesday the 25th Day of August A. D. 1789.

Resolved That Messrs John Brown, Aaron Mason and Jeremiah Olney be and they are hereby appointed a Committee to view the Burying Ground at the North End of the Town to enquire in what Manner the Town holds the same and whether any Encroachments are made thereon :

That they cause the said Burying Ground to be laid out in a proper Manner and platted : That they estimate what Part of the same it will be necessary to sell in order to enclose the Remainder with a Fence and also ascertain what sort of Fence it will be most suitable and advantageous for the Town to make and that they make Report at the next Meeting. [*Town Meeting Records No. 7, page 155.*]

[**October 19, 1789.**] At a Town Meeting of the Freemen of the Town of Providence legally assembled by Virtue of an Act of Assembly on Monday the Nineteenth Day of October A. D. 1789.

Resolved That the Committee appointed on the 25th of August last

for viewing the Burying Ground &c be and they are hereby Continued and that they make Report at the Adjournment of this Meeting. [*Town Meeting Records No. 7, page 161.*]

[**April 6, 1791.**] At a Town Council held in & for the Town of Providence on the 6th day of April A. D. 1791 at the State House

Whereas Sufficient Bond has been given to the Town Treasurer to Indemnify & save harmless the Town of Providence from any Advance of Money, Cost, Charge, Expence or Damage that may Accrue or Arise by Reason of this Council immediately laying out opening & making passable a Road at the North Entrance of the Town

It is Thereupon Resolved That Messrs. Christopher Sheldon John Dorrance & Zephaniah Brown be & they are hereby appointed a Committee to lay out a Road or highway at the North Entrance of the Town. That they begin at the north west Corner of the House where Amasa Gray now lives & thence Run on a straight Line to the Corner of the Wall, Fifteen and an half feet West from the North west Corner of Jeremiah Dexters House, That They lay the said Road or Highway Fifty feet wide on the West side of the aforesaid Line That the said Committee proceed to survey bound & mark out said Highway. That they agree with the Owners of the Land for the Damages they shall sustain by Reason of such Highway passing through their Land. That They Cause an Exact Draught or Plan thereof to be made & make Return thereof & of their whole Doings in Writing under their Hand & Seals to this Council as soon as may be & that James Arnold Esq. be Requested as a Justice of the peace & the Town Serjeant be directed to Attend the said Committee. [*Town Council Records No. 6, page 155.*]

[**April 11, 1791.**] At a Town Council held in & for the Town of Providence on the 11th day of April 1791.

Resolved That Col. Zephaniah Andrews & Col. Amos Atwell be & they are hereby appointed of the Commitee appointed on the 6th

Instant for laying out the Road at the north Entrance of the Town in the Room of Messrs Christopher Sheldon & Zephaniah Brown who have declined And that said Committee proceed on the Business of their appointment agreeably to the said Resolution of the 6th Inst. [*Town Council Records No. 6, page 156.*]

[**May 14, 1791.**] Whereas the Council met in Pursuance of their adjournment to take into Consideration the Report of the Committee appointed on the 6th & 11th days of April last to lay out a Road or Highway at the north Entrance of the Town which Report is in the words following to wit, We the subscribers being appointed by the Honble Town Council of Providence on the 11th day of April last a Committee to lay out a Highway at the north End of said Providence on the west side of a strait Line from the North west Corner of the House where Amasa Gray now dwells to the stone wall of Jeremiah Dexters being 15½ feet west of his dwelling House do Report that We have preceeded on the Business According to the orders of Council & present this as a plat of the same.

Providence May 9th 1791.

Zephaniah Andrews. L. S.
Jnº Dorrance. L. S.
Amos Atwell. L. S.

Here follows the assessment of damages and allowances to the various abuttors.

It is further Resolved that the same be Accepted. [*Town Council Records No. 6, page 160.*]

[**August 30, 1791.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the State House on Tuesday the 30th Day of August A. D. 1791.

Resolved That in Case the Town of North Providence will lay out a Road straight or nearly so from Mr Jeremiah Dexter's this Town will support and maintain hereafter the same as far Northward as the Law

now requires this Town to support said Road Northward in its present travelling Rout : And that Mr Samuel Thurber Junr be appointed to Communicate this Resolution to the Town Council of North Providence and request their Concurrence and Assistance in laying out and making the said Road passable. [*Town Meeting Records No. 7, pages 216 & 220.*]

[**October 1, 1791.**] At a Town Council held in North Providence in the county of Providence &c. October 1st A. D. 1791 agreeable to the appointment of September 5th A. D. 1791. The Committee therein named attended by Caleb Jenks as Justice of the Peace & Jonathan Pike as Town Sergeant on Wednesday the 21st day of September inst repaired to the lands through which the proposed alteration was requested to be made & carefully considered the situation & circumstances thereof & having previously notified all persons concerned in this business had an oppurtunity of hearing the sentiments of those immediately concerned in both towns respecting the place where and how far into North Providence the road ought to be straightened & laid and also concerning the width of the same. The Committee after duly deliberating on the subject & weighing to the best of our judgment the public & private interest do report that the road from the dividing line between the two towns ought to be straight or very nearly so as far northward as the widow Marcy Dexters garden the south east corner thereof ; and accordingly we have laid the same ; the Committee as to the width of this road are clearly of opinion that it ought to be fifty feet wide ; but in making up our judgment on this matter we have a reference to the new road lately laid out by the town of Providence which is fifty wide and it is the opinion of the Committee that the road farthur north which is only a continuation of this need not of necessity be any wider ; but as the Committee considers this road to be the greatest avenue from the other states into this & by far the most popular one of any in the state and considering further the singular

situation of this state in relation to the adjoining ones & the whole union are of opinion that more than fifty feet would be necessary for a highway so circumstanced. The Committee on examining their commissions find it to originate from or refer to a former vote of this Council of this town & also to a vote of & petition from the town of Providence in which petition it is desired that the road be laid straight or nearly so from Mr Jeremiah Dexters northward & in the said former vote of Council it is agreed to lay out the said road from the dividing line between the two towns; The committee therefore suppose they will be within their commission if they begin their first line at the intersection of the east line of the said new road & the dividing line between the two towns running eastward from Mr Jeremey Dexters from thence straight to the south end of said Dexters wall which is fifteen feet six inches westward from the northeast corner of his house; thence northward with the said wall to the north end thereof; from thence north 29¼ degrees east one hundred forty eight rods & eight tenths to a certain point which the Committee agrees shall be fifty feet eastward from the said southeast corner of the garden aforesaid & so situated that the said fifty feet shall be perpendicular to the said line from the north end of said Dexters wall. The Committee have agreed with Mr Jeremiah Dexter for the land taken from him to accomodate this road & do agree that he shall have eight pounds lawful silver money & also to have his fence now on the west of the east line of said road moved & set on the said east line & made as good and durable fence as it now is; and in case any of the stuff whether rails posts or stones shall be either broken damaged or lost in moving or remaking said fence or in first making the said road passable then in that case the fencing is to be replaced and the fence made good without expense to Mr Dexter Mr Edward Smith as guardian to Joseph Dexter declined making any bargain respecting said Dexters land taken for this road & therefore the matter is referred to the Honorable Council to whom the committee also submit this report of their doings.

In witness whereof we the said committee have set or hands & seals this 28th day of Sept. A. D. 1791.

Caleb Jenks.
Thomas Olney Jr.
Jeremiah Sayles.

This council taking all matters into consideration respecting the report of Caleb Jencks Esq. Mr Jeremiah Sayles & Capt Thomas Olney Jr. of straightening the road between Providence & North Providence after hearing the parties concerning the premises &c. do accept said report & adjudge the damage done to Joseph Dexter estate by means of altering said road to be eight pounds eight shillings lawful silver money which together with the eight pounds the said committee agreed to give Mr Jeremiah Dexter for the damage done his estate & also the expense of moving all fences agreeable to the report of said committee which is to be understood that all the fence & wall on the said Joseph Dexters land on said road be moved in the same manner as is expressed in the report of said Committee respecting that of Jeremiah Dexter. Therefore it is voted that whenever the aforesaid sums are respectively paid to Jeremiah Dexter & Edward Smith guardian to the said Joseph Dexter said road shall be opened & continued forever thereafter upon its being made passable agreeable to a former vote of this Council of the 21st of February A. D. 1791. Voted that the clerk of this Council transmit a copy of said report together with this vote to the clerk of the town council of Providence as soon as may be.

N. B. Mr Edward Smith did not Act as one of the council being guardian to the said Joseph Dexter; all which is ordered to be recorded with the report of said committee.

Witness Ezekiel Whipple Council Clerk.

Providence October 26th A. D. 1791.

Whereas the Honorable Town Council of North Providence have straightened the road leading out of the town of Providence towards

Pawtucket so as to take some of the farm belonging to Joseph Dexter for the use of said road which said land so taken has been by said Council valued at eight pounds four shillings lawful money I Edward Smith of said North Providence guardian to the person & estate of said Joseph Dexter do hereby acknowledge to have received for the use of said Joseph the said sum of eight pounds four shillings in good silver lawful money of Samuel Thurber Junr of Providence as agent for John Brown Esqr & others who subscribed the same.

Signed in presence of
Benjamin Wheaton
Jacob Winslow

have signed two receipts of the same tenor & dates one of which is to be lodged in the Town Clerks office in Providence the other in the Town Clerks office in North Providence

Edward Smith.

N. B. The above receipt was laid before the Council & they ordered the same to be recorded.

Pr Ezekiel Whipple
Council Clerk.

[*North Providence Town Council Records No. 2, page 7.*]

[**June 1, 1795.**] At a Town Meeting of the Freemen of the Town of Providence legally assembled at the State House in said Town on the first Monday of June A. D. 1795 being the first Day of the Month.

Resolved that Amos Atwell John Brown and John Smith be and they are hereby appointed a Committee to enquire into and ascertain the Terms upon which a Strip of Land One hundred feet in Depth being part of the North Buring Ground adjoining Westerly on the New Road leading from the North End of this Town holding that Depth and extending parallel with that Road can be exchang'd for an equal Number of Feet of Land lying on the West Side of said Burying

Ground and that said Committee make Report as soon as may be. [*Town Meeting Records No. 7, pages 336 & 344.*]

[**August 25, 1795.**] Report. We the subscribers being appointed by the Freemen of the Town of Providence in Town Meeting assembled, a Committee to enquire into and report the terms on which a Strip of Land one hundred feet wide being part of the North Burying Ground adjoining the new Road leading from the North End of this Town and on the west side of the same can be exchanged for other lands lying on the west side of said Burying Ground do report That it is our Opinion an Exchange somewhat similar to that mentioned will be of great utility to this Town that to layout a street fifty feet wide from the North End of said Burying Ground to the south end of the same on a straight line and nearly parallel with the said new road so as to leave a Strip of land between the two streets one hundred and forty feet wide the whole length of the same for the purpose of house lots etc. will be extremely convenient and greatly accomodate that Part of the Town; that the said strip of Land is not commodious for burying Ground the same being mostly very uneven.

That the Land adjoining the Burying Ground on the West is made more suitable for the purpose of a Burying place and we are informed may be purchased to good advantage, but have not conferred with the owners for the purpose.

Within the said strip is a piece of land adjoining Mr Aaron Masons land about 252 feet long and about 75 feet wide at the south End and at the North End extends from one street to the other which we recommend may be sold the said Mason for £25 as the same can be of little use to any other person. We also recommend that the town petition the Honorable General Assembly for a grant or an act of the same for the purpose of selling & purchasing the Lands as aforesaid, which we humbly submit etc.

Amos Atwell
John Smith
John Brown.

And the said Report being duly considered it is thereupon resolved that the same be received and that the aforenamed Committee together with Moses Brown be authorized and requested to layout the street as the same is therein delineated to cause a plat thereof to be taken and to furnish the Deputies from this Town therewith for the purpose of assisting them in an application to the Hon. General Assembly as recommended in said report. [*Town Meeting Records No. 7, page 353.*]

[**October, 1795.**] Whereas the inhabitants of the Town of Providence preferred a petition and represented unto this assembly that in June Town Meeting A. D. 1795 a Committee was raised for the purpose of enquiring into and reporting the terms on which a strip of land One Hundred feet in width being part of the North Burying Ground could be exchanged for other land lying on the West side of the said Burying Ground and in pursuance of their appointment the said Committee made report as follows:

We the Subscribers etc. * * * *

And whereas the aforesaid Petitioners further represented that at the same August Meeting said Report was received and the following vote passed thereon to wit:—"And the said report being duly considered it is thereupon resolved that the same be received and that the aforenamed committee with Moses Brown be authorized and requested to lay out the street as the same is therein delineated to cause a plat thereof to be taken and to furnish the Deputies from the Town therewith for the purpose of assisting them in an application to the Honorable General Assembly as recommended in said report"

And whereas the said petitioners did thereupon pray this assembly that they may be empowered to lay out the said street agreeably to the plat with the said petition presented and also to make Sale of that part of the said Burying Ground, or to exchange the same in conformity to the aforesaid Report and that they may also be empowered to erect a suitable fence around the whole of the land now appropriated, or that may hereafter be appropriated to the purposes of a Burying Ground.

On due consideration whereof It is voted and Resolved that the Prayer of the Petitioner in the aforecited petition contained be and the same is hereby granted. [*Acts of General Assembly, October Session, 1795, page 5.*]

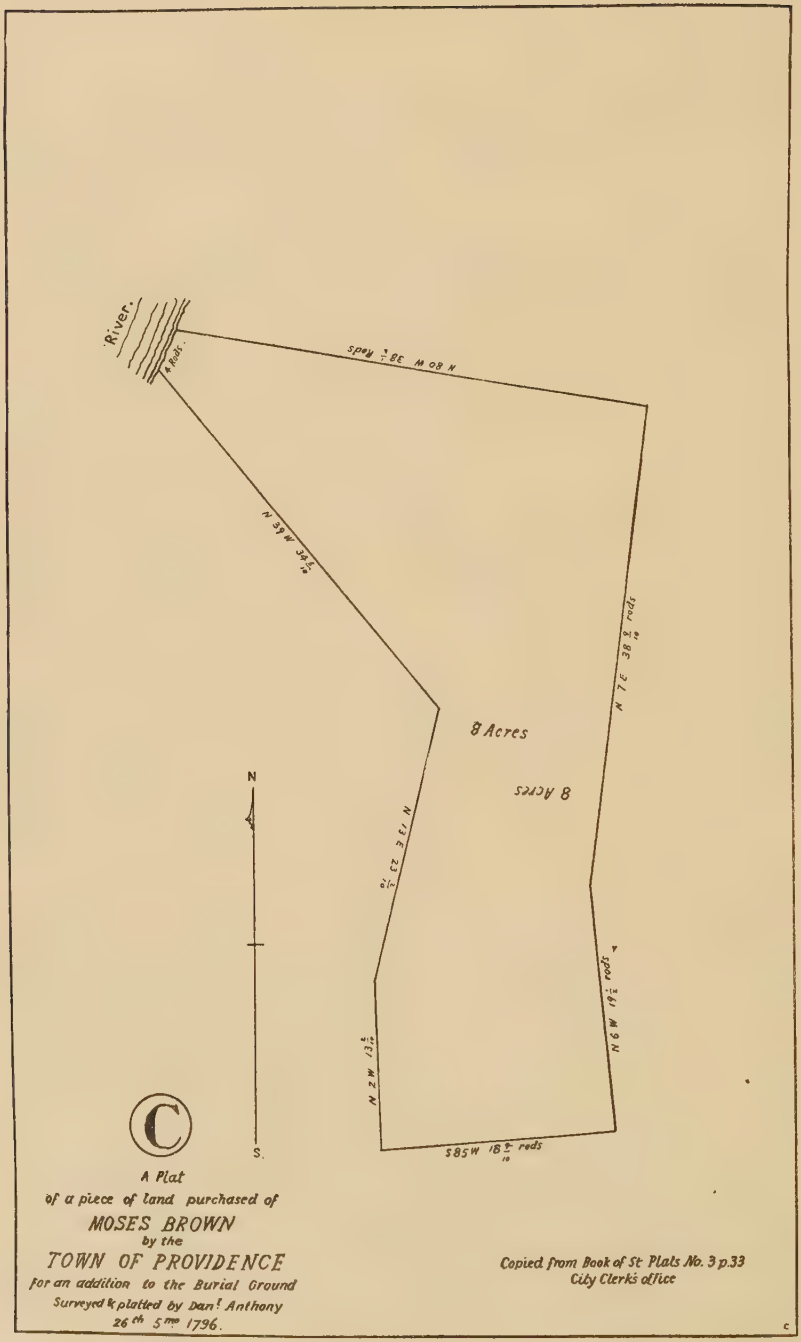
[**June 6, 1796.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the Town House on the first Monday of June A. D. 1796 being the sixth Day of the Month.

Voted that the Treasurer of this Town execute a Deed to Aaron Mason of a strip of Land adjoining the North Burying Ground in Pursuance of an authority granted to this Town by an Act of the General Assembly at their October Session A. D. 1795 and that he take in Payment the sum of twenty five pounds by Way of Discount out of the Monies to be paid by the Town to Moses Brown for the Lands to be purchased of him agreeably to the aforesaid Act of Assembly.

Voted that the Treasurer receive a Deed of Moses Brown of the eight Acres of Land mentioned in the Act aforesaid for the Uses to which the Lands there were originally appropriated at the Rate of thirty Dollars per Acre and after deducting the twenty five pounds aforesaid give his Note on Interest to the said Moses Brown for the Balance. [*Town Meeting Records No. 7, pages 367 & 373.*]

[**June 21, 1796.**] Moses Brown to Town of Providence–$240. Warranty. A certain lot of land containing eight acres more or less lying in said Town adjoining westerly on Moshassuch River four rods and on my other land, northerly on Benj^{n} Cozzens land, easterly on the Town's burying Ground and southerly on my other land.

Beginning at a stone in the ground at the S. E. corner and runs West 5° So. $18\frac{9}{10}$ poles to a stone in the ground thence N. 13 1/2 E. $23\frac{2}{10}$ poles to another stone, thence N 39 W $34\frac{6}{10}$ poles to the River along which four rods to Cozzen's and my corner, thence along our line E. 10 So. to the line of the aforesaid Burying Ground, thence S. 7° W $38\frac{9}{10}$ rods to a Barberry bush with a stone in it, thence S. 6 E. $19\frac{1}{2}$ rods to



Plat C opposite page 33.

the first bound ; to be understood according to agreement that all the fence standing on the line is to be moved and belonging to the grantor. [1] [*Deed Book 24, page 266.*]

[**June 23, 1796.**] Town of Providence to Aaron Mason $83.33\frac{1}{3}$— Warranty

One certain lot of land situated lying and being in the northerly part of said Providence on the westwardly side of the new street or highway leading out of town, bounded and described as follows, to wit, beginning at a point on said new street parallel with the north east corner of Obadiah Mason's shop, thence running northwardly bounding eastwardly on said new street sixty feet, thence turning and running westwardly at right angles with said street one hundred and forty feet to the eastermost line of a fifty feet street, bounding northwardly on the Town's land, thence turning and running southwardly bounding westwardly on said fifty feet street to a point opposite to and twelve feet west of the north west corner of a dwelling house built by Comfort Eddy on the Burying Ground, thence turning and running easterly to the south west corner of land sold by the grantee to his son Obadiah Mason, thence bounding southerly on said Obadiah Mason's land to the first mentioned point. [*Deed Book No. 24, page 259.*]

[**April 19, 1797.**] At a Town Meeting of the Freemen of the Town of Providence assembled according to Law at the Town House in said Town on the nineteeth Day of April A. D. 1797.

Voted that Mess Ebenezer Thompson and Daniel Anthony be and they are hereby appointed a Committee for the purpose of ascertaining and running the true Lines between the Land of Benjamin Cozzens Jun. at the North End of this Town and the Burying Ground.

Voted that Messrs Moses Brown Joseph Tillinghast and Joel Metcalf be and they are hereby appointed a Committee to enquire into the

[1] See plat C.

Title which William Goddard possesses to a certain Lot of Land situated at the North End of this Town and now in the possession of Simeon Thayer and that said Committee make Report at next June Meeting.

Voted that the Town Treasurer be authorized to take possession of the Lot of Land at the north End of this Town late belonging to peter Clear deceased and claimed by the Heirs of Silas Downer deceased and that said Treasurer be empowered to lease out the said Lot for the most he can obtain for the same. [*Town Meeting Records No. 7, pages 390 & 393.*]

[**June 5, 1797.**] At a Town Meeting of the Freemen of the Town of Providence holden at the Town House in said Town on the fifth Day of June A. D. 1797.

Providence April 21st or 21st of the 4th 1797 Agreeable to appointment by the Town of Providence we have run the Line between Benjamin Cozzens and the Burying Ground in running which we have been governed by the survey of the Committee in 1784 allowing two thirds of a Degree Variation of Compass between that Time and the present running Viz. we began at a white Oak Tree at the North East Corner of the said Cozzen's Land and from thence run South 28$\frac{1}{3}$ West 22 Rods; there the said Committee mentions a Heap of Stones but no such Heap was to be found thence S 5$\frac{1}{3}$ West in direct Range toward the Barberry Bush mentioned by said Committee at which place stands a Stone for a Bound extending said Range towards said stone until it intersects the Fence dividing between said Cozzens Land and the Lot the Town purchased of Moses Brown which place together with the Running as aforesaid we marked for the true Line between said Cozzens and said Burying Ground at which the said Cozzens was present We also note that some of the Fence including Peter Randalls Land adjoining said Burying Ground appears to us to stand considerable

further on said Burying Ground than it did at the Time of the former survey.

Ebenezer Thompson } The Town
Dan^{l}. Anthony } Committee.

And the foregoing Report being read & duly considered it is thereupon Voted and Resolved that the same be received and established and that the Town Treasurer be directed the said peter Randall's Fence be removed off said Burying Ground in Conformity with the said Reports. [*Town Meeting Records No. 7, pages 395 & 403.*]

[**November 10, 1802.**] At a Town Meeting of the Freemen of the Town of Providence legally Warned and Assembled at the Town House on the Tenth Day of November A. D. 1802.

Whereas it is highly necessary and becoming that the Burying Ground at the North end of the Town should be fenced in Resolved therefore that a Committee to Consist of the following persons to wit– Seth Wheaton, Williams Thayer and Samuel Thurber Jun^{r}. be and they are hereby appointed accordingly for the purpose of Fencing in said Burying Ground And that said Committee be and they are hereby authorized to expend the Sum of Three hundred Dollars for that purpose. [*Town Meeting Records No. 7, pages 599 & 603.*]

[**June 4, 1804.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the Town house in said Town on the fourth Day of June A. D. 1804.

Voted that Uriah Hopkins be appointed Overseer of the North Burying Ground and that he permit no Cattle to be turned into said Burying Ground for the purpose of grazing and that he see that the Lanes, Ways & Alleys be kept open for the passage of Carriages, and that he be allowed Ten Dollars annually for his services to be paid out of the Town Treasury The Town Treasurer to furnish sufficient Locks [*Town Meeting Records No. 8, pages 1 & 4.*]

[**November 21, 1804.**] At a Town Meeting of the Freemen of the Town of Providence legally assembled at the Town House on Wednesday the 21st Day of November A. D. 1804.

Voted That Wheeler Martin Esquire and Uriah Hopkins be and they hereby appointed a Committee for the purpose of preventing Encroachments on the Alleys of the North Burying Ground. [*Town Meeting Records No. 8, page 16.*]

[**February Session, 1805.**] An Act to Incorporate Certain Persons by the Name of the Smithfield Turnpike Company.

Section 1. Be it enacted by this General Assembly and by the authority thereof it is hereby enacted That Joseph Farnum Noah Farnum Jabez Mowry Stephen Olney William F. Magee, Henry Smith Fenner Angell, Nicholas Brown, Rufus Waterman Amos T. Jenckes George Weeden, James Smith, Noah Arnold, Benjamin Sheldon, David Mowry, Gardner Aldrich, Artemas Smith, Delvin Smith Chad Smith Cyrus Cook Thomas Arnold and Eleazer Bellows Richard Mowry Enos Mowry and others, their associates their successors and assigns shall be and are hereby created a corporation and body politic, for the purpose of building and establishing a turnpike road from Providence to the line of Massachusetts in the town of Douglas or Uxbridge agreeable to a plat thereof to be lodged in the Secretarys office by a committee appointed by this Assembly in their February session 1805 and the said Corporation shall be known and distinguished by the name of The Smithfield Turnpike Company and by that name shall be and hereby are made able and Capable in law as a body Corporate to have and purchase, possess and enjoy to themselves their successors and assigns land (not exceeding fifty acres) rents tenements, tolls and effects of what kind or nature soever and the same to grant sell or dispose of by deed or deeds at their will and pleasure.

On the petition of Joseph Farnum and others praying to be incorporated for the purpose of establishing a turnpike road from Providence

to Massachusetts in a line as reported by a plat thereof heretofore submitted to this house by said Farnum and others and on the petition of John Sayles and others praying to have a road open from said Providence to said Massachusetts agreeable to their plat thereof, Voted and Resolved That said charter of incorporation be granted to establish a turnpike road from said Providence to the line of said State of Massachusetts in the town of Douglas or Uxbridge, but in such direction in the interemediate space between said towns as shall be ascertained by a Committee of this House: and for that purpose It is further Voted and Resolved That Messrs. Joshua Bicknall of Barrington Thomas Corey of Portsmouth and Isaac Wilbour, Of Little Compton be and they hereby are appointed a Committee with full powers to examine the most proper route for a road between said towns to survey and lay out the same to estimate and appraise the damages said road may be to any individuals through whose land the same may pass reserving to said landholders the right of appeal from said appraisement to the Court of Common Pleas to be holden at Providence within and for the County of Providence, next to be holden after said appraisement shall be made and returned by said Committee into the Clerks office of said Court they filing their reasons of appeal as in other cases, and to file their report of such damages as they may allow to each individual through whose land said road shall pass in said Clerks office and to lodge a plat of said road in the Secretarys office provided said Committee shall give three weeks notice in one of the public news-papers printed in said Providence of the time and place appointed by them to commence the laying out said road and provided all that shall be done by said Committee be done without expense to the State. [*Acts of General Assembly, February Session, 1805, pages 26 & 29.*]

[**August 9, 1805.**] Report. We the under-Signed a Committee appointed by the Honorable General Assembly of the State of Rhode Island and Providence Plantations, Holden at sd. Providence Feby Session

A. D. 1805 to lay out a Turnpike-Road from sd. Providence to the Line of Massachusetts in Uxbridge or Douglas do report that pursuant to our appointment we have laid out a Road beginning at sd. Providence Line in a Road near a Board Marked on both sides which Board makes a part of the Fence on the south side of a Garden now Occupied by Miss Ann Allin (Widow) Thence running N, 43[1] 1/3 W. 565 Rds near to the North East corner of the Dwelling House of Welcome Smith ; Thence N, 50 W 44 Rds near & opposite the dwelling House of Hazaiel Smith Thence N 45 1/2 W 162 Rds to a Locus Tree standing on the North side of Stephen Olneys Land Thence N 48 1/3 W. 70 Rds to a Stake near the Dwelling House of Edward Smith Thence N 42 3/4 W. 208-Rds to a Stake in Jesse Smiths Land Thence N 26 3/4 W 87 Rds. to a Poplar Tree standing in Edward Smiths Land N 40 W-114 Rds to a heap of stones by the side of an old Road Thence N 38 1/2 W. 140 to a heap of stones near Nathan Youngs Dwelling House Thence N 44 W. 172 Rds to a heap of stones near the Dwelling House of Stephen Whitman Thence N 40 1/4 W 722 Rds to a White Oak Tree Marked stand on Land belonging to the Heirs of Elisha Steer Decd Thence N 42 1/2 W 127 Rds to a heap of stones on Land belonging to Emer Smith Thence N. 39 1/3 W. 315 Rds to a stake & stones on Daniel Mowry 3d. Land Thence 38 1/2 W. 231 Rds to a stake & stones on Land belonging to James Appleby Thence N 18 W. 126 Rds to a White Oak Tree Standing on John Mowry Land Thence N. 12 W. 52 Rods to a heap of stones on Land belonging to Mary Aldrich (widow) Thence N. 6 W. 59 Rds to a Stake near the Dwelling House of the Sd. Mary Thence N. 26 W. 123 Rds to a heap of stones on Jeremiah Mowrys Land Thence N 40 W 650 Rds to a heap of stones in Eliakin Phettiplaces Land Thence N 66 W-100 Rds to a Stake & Stones near & Southwest of the Dwelling House of Alexander Lovell N 50 W. 320 Rds to a Stake on Reuben Wallins

[1] These figures are indistinct in the original and may be 43 or 48.

Land Thence N 32 W 73 Rds to a Stake on the south side of Branch River Thence North 29 Rds to a Saplin Marke, on the Land of the Heirs of Joshua Wallin Decs^{t} Thence N 23 W 90 Rds. to a Stake on Inmans Land Thence N. 39 W. 146 Rds. to a heap of stones on Asa Inmans Land Thence N 42 W. 314 Rds. to a White Oak Saplin by the side of Fence belonging to Joseph Esten N. 47 W. 520 Rds. to a heap of stone on Massachusetts Line The above discribed Courses are Run in the Centre of the Road which we have laid out three Rods Wide & Lodged here with a platt of the same.

Joshua Bicknall
Thomas Cory Jun Committee
Isaac Wilbour

Providence
Aug.t 9th A. D. 1805

[*Book of Plans, State Library, State House, Providence, page 21 1-2.*]

[**May Session, 1807.**] Upon the petition of the Smithfield turnpike Company, praying that they might be authorized and empowered to open and establish a branch to said turnpike road, to lead from Providence over Common land, by the south west corner of the north burying ground, from thence north westerly nearly two miles till it shall open into said turnpike road, as already established on land of William N. Rhodes. It was Voted and Resolved That said petition be received and referred to the next session, and that the petitioners in the meantime give notice by advertisement in one of the Providence news-papers three weeks successively, for all persons Concerned to appear if they may see fit at the next session, to show cause, if any they may have why the prayer of said petition ought not to be granted. [*Acts of General Assembly, May Session, 1807, page 15.*]

[**June Session, 1807.**] An Act in Addition to and further Amendment of An Act entitled "An Act to Incorporate Certain Persons by the Name of the Smithfield Turnpike Company"

Section 1. Be it enacted by the General Assembly and by the authority thereof it is hereby enacted, That the said Smithfield Turnpike Company be and they hereby are authorized and empowered to open and establish a branch of said turnpike road to lead from Providence over common land, by the south-west corner of the north burying ground, from thence northwesterly nearly two miles, till it shall open into said turnpike road as already established on land of William N. Rhodes.

Section 2. And be it further enacted That the said branch shall be annexed to, and become a part of said turnpike road, and that all persons subscribing shares for said branch, be and hereby are incorporated with the other stockholders in said Turnpike Company, and that they and the shares by them subscribed be governed by the same laws ordinances and regulations.

Section 3. And be it further enacted That the Committee heretofore appointed to lay out said turnpike road and to appraise the damages done to the lands through which it passes be authorized whenever it may become necessary and they shall be called upon by said Corporation, to appraise the damages done to the lands of such persons as the said branch may pass through and that the same be done without expence to the State.

Section 4. And be it further enacted, That any two of said Committee are and shall be competent to meet and act in any of the matters or things heretofore or herein entrusted to them and their doings and report are and shall be as valid to all intents and purposes as though all said Committee had been present and acted therein.

An Act to establish the Providence and Pawtucket Turnpike Corporation.

Section 2. Be it further enacted, That the road to be made and maintained by said Corporation shall be as follows, to wit: It shall be three rods wide and shall begin at the north line of the town of Providence near the dwelling house of the late Jeremiah Dexter and run

from thence northerly, on the east side of the old road, and passing by the westerly end of Jeremiah Sayles dwelling house, extend to such part of Pawtucket village as the Committee herein after named shall direct.

Section 3 Be it further enacted, That William Anthony Esq of Portsmouth Jonathan Salisbury, Esq : of East Greenwich and William Allin Esq of Barrington, be and they are hereby appointed a Committee to lay out said road and to appraise the damages, if any, which any person or persons may sustain through whose land the said road shall pass ; and the said committee shall make a return of their proceedings, in laying out said road, and appraising the damages aforesaid, into the Clerk's office of the Court of Common Pleas in the County of Providence, as soon as conveniently may be after the said appraisement shall have been made. And if any person or persons shall be aggrieved by the appraisement made by said Committee, he or they may apply to the said Court of Common Pleas at the term next after the appraisement shall have been returned as aforesaid, and may have the damages assessed by a jury in said Court, and the verdict of such jury, when established by the Court shall be final Provided always, That if the report of the Committee shall be confirmed, or the amount of damages be lessened by the jury, the person or persons applying for the jury shall pay all lawful costs but if the amount of damages shall be increased the cost shall be paid by the said Corporation.

Section 4. * * * * [*Acts of General Assembly, June Session, 1807, pages 9 & 20.*]

[**July 6, 1808.**] Report. We the undersigned being by the Honorable General Assembly at their sessions in June 1807 appointed a Committee to lay out a turnpike road three rods wide from Providence to Pawtucket & appraise the damages done to individuals thro whose land the same should pass have agreeably to our appointment proceeded & laid out said road as follows, viz : beginning at North Providence line

near the house of Jeremiah Dexter heirs & running thence parallel with the old road & adjoining thereto N 30° E one hundred & seventy seven rods N 24° E eighty eight rods thro the lands of said heirs Joseph Dexter & Jeremiah Sayles to the land of Joel Scotts heirs thence N. 41° E three hundred & ninety rods thro lands of Job Scotts heirs William & Stephen Randall George Jencks OZiel Wilkinson Jesse Bushee John Jencks & Esek Jencks to a stake in Samuel Thayers lot thence N 11 1/2 E passing partly on the old road & partly on the lands of said Thayer Bucklin, Jencks Sylvanus Jencks, George Jencks & Jesse Bushee, touching in its way the eastward of sd. Bushees house forty four rods to the Nathaniel Walkers house thence N 10° E. partly on the old road or street & partly on lands of George Jencks, George Nichols, Moses Brown & Timothy Greene twenty seven rods & an half to the north east corner of William Reads house (see plat of said road made by Daniel Anthony dated 15th of 5th Mo 1808 herewith returned.

We also appraised the damage to the persons over whose land said road was laid as follows, viz. To the heirs of Jeremiah Dexter eighty one dollars up on condition that the dwelling house remain thereon so long as the same may stand & that the Corporation remove the fence from the west side to the east side of said turnpike road & erect the same in as good order as it now stands. To Joseph Dexter one hundred & seventy eight the Corporation removing the fence & erecting it in the same manner as that of said heirs. To Jeremiah Sayles the Corporation by agreement are to erect as good a fence on the east side of said turnpike as now stands on the west side, to remove the buildings off the road & leave the old fence at said Sayles disposal.

To the Heirs of Job Scott eight hundred & fifty dollars. To William & Stephen Randall fourteen dollars. To George Jencks thirty dollars. To Oziel Williams eleven dollars. To Jesse Bushee five dollars. To John Jencke five dollars. To Samuel Thayer seven dollars.

To Bucklin Jencks three dollars. To Sylvanus Jencks three dollars. To Nath. Walker two dollars. To George Nichols three dollars. To Moses Brown three dollars. To Timothy Green three dollars. Provided always that the turnpike Corporation are to be at the expense of removing all buildings which are to be removed off said road & the timber wood & fence now standing on said turnpike road to be at the disposal of the respective proprietors.

All which is respectfully submitted.

July 6th A. D. 1808 by

William Anthony
Jonathan Salisbury
Wm Allin

[*Report on file in office of Clerk of Court of Common Pleas, in package labelled "Turnpike Reports."*]

[**October Session, 1808.**] An Act in Addition to an Act entitled "An Act to Establish the Providence and Pawtucket Turnpike Corporation."

Section 1. Be it enacted by the General Assembly and by the authorty thereof it is enacted That the road described in the act to which this is in addition, shall cross the land belonging to the heirs or devisees of Jeremiah Dexter, as follows: The line of the easterly side of said road shall begin at a point three rods easterly from the old road, in the line between the land of Joseph Dexter and the heirs or devisees of Jeremiah Dexter, and run from thence to the north-west corner of the dwelling-house of the said heirs or devisees, and continue the same course to the old road, and the land on the easterly side of said line shall not hereafter be considered as belonging to the road granted to said Corporation.

Section 2. Be it further enacted, That no partition fence shall be erected between the old road and the road belonging to said Corpora-

tion, in any place southerly from a point twelve rods northerly from the south west corner of the land of Joseph Dexter.

Section 3. * * * *

An Act in Addition to and Amendment of an Act entitled "An Act to Incorporate Certain Persons by the Name of the Smithfield Turnpike Company."

Be it enacted by this General Assembly and by the authority thereof it is hereby enacted That Amos Throop, Moses Brown, Lydia Allen, Philip Allen, Almy and Brown, Brown and Ives, Stephen Randall, Samuel Thurber, John Corlis, John Carlile, Joseph Jenckes, Seth Mowry, Rufus Waterman, Nathan Waterman, Thomas Arnold, Richard Mowry Enos Mowry Jeremiah Olney, Paul Dudley and others their associates, proprietors in the Smithfield turnpike Company, having been at the cost and charge of purchasing land building and opening a turnpike road from the town of Providence through North Providence Smithfield and Burrillville to the country road in the town of Douglas in the State of Massachusetts they, their successors and assigns shall be and are hereby authorized to alter the name of their said company and adopt the name of the Providence and Douglas Turnpike Company, without legal injury to the proceeding of said Corporation in any case whatsoever; and by that name shall be and are hereby made able and capable in law, to have hold purchase and enjoy to them their successors and assigns land not exceeding two hundred acres besides the land which the road covers, rents tenements tolls and effects, of what kind or nature soever and the same to grant sell or dispose of by deed or otherwise at their will and pleasure: [*Acts of General Assembly, October Session, 1808, pages 5 & 22.*]

[**September 16, 1812.**] At a Town Meeting of the Freemen of the Town of Providence legally Warned and assembled at the Town House on Wednesday the 16th Day of September A. D. 1812.

Whereas the House and Lot heretofore owned by Robert Dickey and now owned by the Town adjoining the Lot which the Providence Woollen Manufacturing Company are now erecting a large Building to carry on the Woolen business on an extensive Scale would be convenient for them to own that they may select and govern the Tenants And as a corner of the Lot which the Town purchased of Moses Brown comes near their said Building which would be convenient also for them to own and it being moved in this Meeting for the Town to Sell the same which being considered the Town Council are appointed a Committe to view and Consider of the premises ascertain the value thereof and negotiate the business with the said Company and if they agree with them the Town Treasurer is hereby authorized to give a Deed of release and quitclaim of the Town's Right in the premises and pass to the Credit of the Town the amount and make Report when accomplished. [*Town Meeting Records No. 8, pages 257,-8-9.*]

[**August 30, 1813.**] At a Town Council holden within and for the Town of Providence on the 30th Day of August A. D. 1813.

This Council taking into Consideration the Vote of the Town respecting — Whereas the Town at their Meeting held on the Sixteenth Day of September last appointed this Council a Committee to view a certain piece of Land bought of Moses Brown near the Building belonging to the Woolen Manufacturing Company and to Consider of the Premises ascertain the value thereof and regulate the business with the said Company for the sale of said Land and whereas this Council having viewed the Premises and procured a Plat thereof to be made by which it appears there is two and one quarter Acres of said Land, do after mature deliberation Estimate the Value of said Land at Two hundred and twenty Dollars per Acre and the Town Treasurer is requested if said Company appears and pay that price said Land to Quitclaim the Towns right to the same by giving to them a Quitclaim Deed accordingly. [*Town Council Records No. 9A, page 516.*]

[**September 6, 1813.**] At a Town Council holden within and for the Town of Providence on the 6th Day of September A. D. 1813.

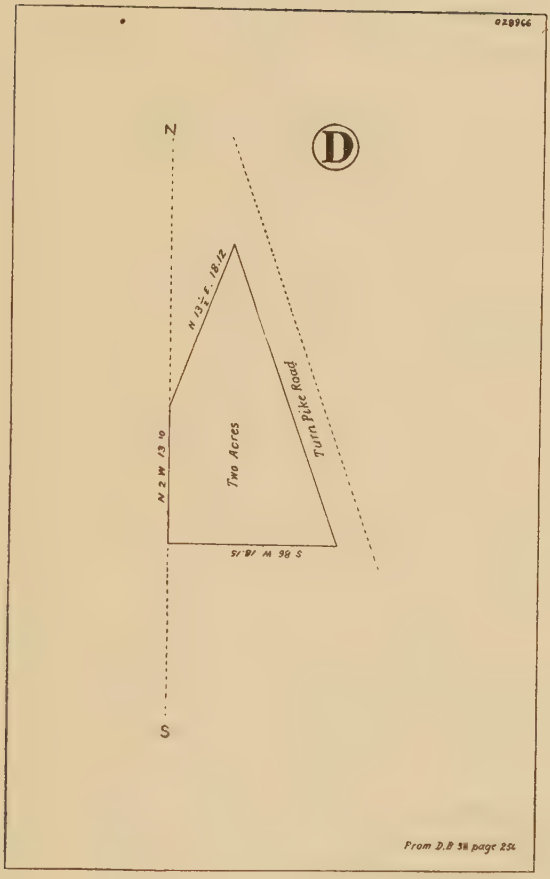
On Motion whether this Council recede from their former Resolve respecting lowering the price heretofore fixed for the Land in the North part of the Town, Resolved in the Negative. [*Town Council Records No. 9A, page 519.*]

[**October 18, 1813.**] At a Town Council holden within and for the Town of Providence on the Eighteenth Day of October 1813.

Whereas on a Resurvey of the piece of land near the Building belonging to the Woolen Manufacturing Company in the north part of the Town there appears to be only two acres of said Land instead of two and a quarter as Stated in the proceedings of this Council on the thirtieth of August last. The Town Treasurer will therefore Consider said to be two Acres. [*Town Council Records No. 9A, pages 532-3.*]

[**October 28, 1813.**] Town of Providence to Providence Woolen Co.—$440.—Quitclaim. All the right, title interest property claim and demand the said Town of Providence has in and to One certain lot of land situated in the northerly part of the said Town of Providence bounded and described as follows that is to say, Beginning at a point in the line of the Turn Pike Road being also a corner of the grantee's land and from thence with said grantee's land South eighty six degrees west eighteen rods and fifteen links to another corner of said grantees land; thence with the said grantee's land north two degrees west thirteen rods ten links; thence with the land of the said grantee's north thirteen and one half degrees east eighteen rods twelve links to the Turnpike Road, thence southerly with said road to the first corner or place of beginning and containing two acres[1] and is a part of the same land the said Town of Providence bought of Moses Brown by deed dated the twenty first of

[1] Plat D.



Plat D opposite page 46.

the sixth month A. D. 1796 and which is recorded in book No. 24 page 266 of the records of the Town of Providence for recording deeds. [*Deed Book No. 36, page 249.*]

[**October 30, 1813.**] An Act to enlarge and explain the powers of the town meetings and Town Council of the town of Providence.

Section 1. Be it enacted by the General Assembly and by the authority thereof it is enacted, That the freeman of the town of Providence in town meeting legally assembled, shall have power to make by-laws for the government of said town, relative to the erecting, establishing and regulating public markets and market places and the trade thereof; relative to the streets and highways of said town, and to the making, mending paving and cleaning and lighting the same; relative to nuisances within the limits of said town; relative to landing places, wharves, anchoring and moving of vessels and to injuries and encroachments upon the waters of the rivers and harbour; relative to trees planted for shade, ornament, convenience or use; relative to public walks and buildings; relative to sweeping of chimnies and to fire engines, and machines for stopping or extinguishing fire, and the preservation of the town from fire; relative to a public watch and the security of the town from riotous and disorderly persons; relative to taverns, cook's shops, oyster-houses, and other places of entertainment, and to the assize of bread, relative to public shews exhibitions and spectacles, and to the regulation of theatres, and other public places of amusement; relative to the public burying-grounds and the burial of the dead; relative to foot or side walks in the streets and to posts, gutters, drains, signs, steps, cellar doors, windows and lamps therein and to inflict penalties for the breach of such by-laws; provided that such penalty shall in no case for any one offense exceed the sum of forty dollars. That such penalties shall be forfeited to the use of the said town, or to such persons and for such uses, as shall be in such by-laws described

and shall and may be recovered by indictment, information, or action of debt, in any court of competent jurisdiction. Provided however, That said by-laws shall not be contrary to the laws of the State; And provided also that nothing herein contained shall be construed to impair or repeal any power or authority heretofore vested by law in said town, or Town Council nor to exempt offenders from the punishments or penalties already prescribed by the laws of the state, for any of the offences herein described.

Section 2. * * * * [*Public Laws of Rhode Island 1798-1821, page 173.*]

Note. By virtue of the charter granted by the General Assembly Oct. 1831 to the City of Providence all powers previously conferred on town meetings were vested in the City Council.

[**February 22, 1817.**] An Act to prevent the violation of the sanctuary of the dead.

Section 1. Be it enacted by the General Assembly and by the authority thereof it is hereby enacted, That if any person or persons shall secretly dig up any human body, or carry away the same from any vault, or other place in which the same may be deposited; or knowingly conceal any such human body after it shall have been so dug up, or carried away, as aforesaid, every such person or persons, his or their aiders or abettors, shall, on conviction thereof before the Supreme Judicial Court, or Court of General Sessions of the Peace for the county in which such offence shall have been committed be fined a sum not exceeding five thousand dollars, nor less than one thousand dollars and be imprisoned not exceeding six years nor less than one year. [*General Laws of Rhode Island, 1798-1821, page 235.*] [*Amendment, October Session, 1838.*] [*See also act of February 3, 1838 and extract from General Laws, in effect February 1, 1896.*]

[**December 15. 1820.**] We the undersigned having been appointed by the Honorable General Assembly at their February Session A. D. 1819, a committee to locate and establish the Cumberland and Smithfield Turnpike Road, three rods wide to Commence near the house of Absalum Ballou in Cumberland and running southerly towards the Town of Providence, untill it strikes the Branch of the Louisquisett Turnpike, near the bridge over Moshausic River, and to agree with the Proprietors and to appraise the damage (if any) that any person may sustain through whose land said road may pass, and to make a return of our proceedings, in laying out said Road, and appraising the damages aforesaid into the Clerks Office of the Court of Common Pleas of the county of Providence; do report that we have proceeded on the business of our said appointment and laid out said road three rods wide, in manner following Viz: Beginning at a stake and heap of stones on the northwesterly side of the said Branch of the Louisquisett Turnpike twenty rods and nine links from said Bridge and running thence in the west side of said Cumberland and Smithfield Turnpike, through the lands of Benjamin Pidge William Randall & John Randall North two and an half degrees east, one hundred and forty six rods to a heap of stones on the north side of the cross road between John & Joseph Randall's lands, thence North seven degrees East through Joseph Randall's land one hundred and thirty five rods to a heap of stones on Joseph Randalls Wall on the west side of a road, thence North three and an half degrees west four hundred and ninety eight rods and fifteen links, through the land of the heirs of James B. Mason and lands of William Dexter, Amelia Brown, Peter Pike, Louis Dexter heirs of Jeremiah Dexter, and Nehemiah Sheldon to a small yellow Pine on the West side of Spectacle Pond Thence North fifteen and an half degrees East one hundred and twenty nine rods and three quarters through lands of Aza Arnold & George Smith, and Maturin Ballou to a heap of stones on a rock in Maturin Ballou's plain thence through Maturin

Ballou's land North seven degrees East fifty three and an half rods to a Black oak; North two degrees East forty nine and an half rods to an Elm in Jencks Bartletts land, thence through said Bartletts land North thirteen degrees east sixteen rods and twenty links to a ledge on the height of land, thence North fifty degrees West twenty one rods to a heap of stones, thence North thirty seven degrees west forty eight rods near Imar Comstocks house thence North thirty seven and an half degrees west fifty two rods to a heap of stones, thence through the lands of Elisha Arnold and Israel Arnold North thirty three degrees west, twenty nine rods, North twenty three degrees west twenty rods, North Nine degrees West Eighteen rods to a point of Rocks in Israel Arnolds land, thence North one degree west, passing eastward of an old house through the lands of Samuel Arnold and others seventy seven rods to a stake and Stones on the East side of the Mill pond, thence North twenty seven degrees and three quarters west, through lands of George Smith and others, fifty five rods to a stake and stones near Tuckers Barn, Thence through lands of said Smith, Christopher and John Dexter land thence through sd. Dexters land and lands of Simeon and Joseph Wilkinson; heirs, North two degrees east two hundred and ten rods, to a white oak on the East side of the old Road, thence North six and an half degrees west, forty two and an half rods to a white Oak, thence North twelve and an half degrees west fifteen rods to a heap of stones, thence North twenty five degrees west sixteen and an half rods to a white oak on the hill side westward of Hemlocke Bridge, thence North twenty seven degrees west thirty three rods to Elizabeth Whipples land near Martins way, thence North two degrees and an half west, through lands of Elizabeth Whipple Simon Whipple and land of the Fastway Company two hundred and seventeen rods to a stake and stones, North twenty four degrees and three quarters west twenty nine rods to a stake and stones, thence North fifty four degrees east (crossing Blackstone River) twenty two rods to a stake in Oliver Bligh's land, thence through said

Bligh's land North six degrees East thirty six rods to the Cumberland and Mendon Road about half a mile northward of Absalom Ballou's house as per plat of said Turnpike Road herewith returned into the Clerks office.

Dec. 15, 1820.

Thomas Mann.
Elisha Mathewson.
William Allin.

[*Report on file in office of Clerk of Court of Common Pleas, in package labelled "Turnpike Reports."*]

[**June 4, 1821.**] At a Town Meeting of the Freemen of the Town of Providence legally warned & assembled at the Town House on the Fourth Day of June A. D. 1821.

Voted that Dexter Thurber be & he is hereby authorized to Cause such Repairs to be made respecting the Inclosure of the North Burying Ground as he may think fit & necessary. [*Town Meeting Records No. 9, pages 148 & 161.*]

[**June 3, 1822.**] At a Town Meeting of the Freemen of the Town of Providence legally Warned and assembled at the Town House on Monday the Third Day of June A. D. 1822.

Voted that John Carlile and Dexter Thurber be a Committee to examine and make such arrangements as they may think convenient and proper respecting the North Burying Ground and to report their proceedings relative thereto at the next Town Meeting. [*Town Meeting Records No. 9, pages 201-7.*]

[**August 27, 1822.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the Town House in said Town on the last Tuesday in August being the 27th Day of the Month A. D. 1822.

Voted that John Carlile and Dexter Thurber be appointed a Committee to confer with any Committee that may be appointed by the Town of North Providence respecting the Regulation of the Burial of the dead in the North Burial Ground; and that the Town Clerk be directed to cause a Copy of this Vote to be left with the Town Clerk of said North Providence to be Communicated to the Freemen of said Town. [*Town Meeting Records No. 9, pages 210 & 214.*]

[**June Session, 1823.**] An Act to Establish the Smithfield Turnpike Corporation.

Section 1. Be it enacted by the General Assembly, and by the authority thereof it is enacted That Stephen H. Smith, Seth Adams Samuel Arnold Truman Beckwith, Samuel F. Mann Isaac Brown and Luther Pearson and others their associates, successors and assigns, shall be and they hereby are created a Corporation and body politic by the name of the Smithfield Turnpike Corporation; and by that name shall be and hereby are made able and capable in law as a body corporate to purchase, possess, have and enjoy to themselves their successors and assigns lands not exceeding one hundred acres tenements, rents tolls and effects of what kind or nature soever * * * *

Section 2. Be it further enacted That the road to be made and maintained by said Corporation shall be three rods wide, and shall commence near the Friends meeting house in Smithfield, and running southwardly, and continuing in the most convenient route towards the town of Providence until it strikes the branch of the Douglas turnpike near the bridge over Moshassuck river.

Section 3. Be it further enacted That Thomas Mann of Smithfield, Elisha Mathewson of Scituate and William Allin of Barrington be and they hereby are appointed a Committee to locate and establish said road and to agree with the proprietors if they can and if not to appraise the damage, if any, that any person or persons may sustain through whose

land said road may pass; and the Committee shall make a return of their proceedings in laying out said road and appraising the damages, aforesaid into the Clerks office of the Court of Common pleas in the County of Providence as soon as conveniently may be after said appraisement shall have been made; and if any person or persons shall be aggrieved by said appraisement made by said committee, he, she or they may apply to said Court of Common pleas, at the next term thereof after said appraisement shall have been returned as aforesaid, and may have the damages assessed by a jury in said Court and a verdict of such jury when established by said Court shall be final provided always, that if the report of the Committee shall be Confirmed, or the amount of the damages lessened by the jury, the person or persons applying for such jury trial shall pay all lawful costs, and if the amount of damages shall be increased, the cost shall be paid by said corporation.

Section 4. * * * * [*Acts of General Assembly, June Session, 1823, page 42.*]

[**September 8, 1823.**] Report. We the undersigned having been appointed by the Honorable General Assembly at their June Session A. D. 1823 a Committee to lay out the Smithfield Turnpike Road commencing near the Friends meeting house in Smithfield and running southerly towards the Town of Providence untill it intersects the branch of the Louisquisett Turnpike near their Bridge across Moshausik River and to make report of our proceedings into the Clerks office of the Court of Common Pleas in County of Providence, do report that we have proceeded on the business of our said appointment and laid out said road three rods wide in manner following viz: Beginning at a Part in Samuel Arnold's fence on the west side of the old road, ten rods north of the South east corner of his lot south of the Friends Meeting house in Smithfield, and running thence on the west side of said Turnpike road, South thirty degrees East, one hundred and nine rods

through the lands of said Samuel Arnold, Jeremiah Whipple, Nathaniel Spaulding and George Whipple to a rock in George Whipple's wall, thence South forty seven and an half degrees East thirty four and an half rods to a heap of stones on a ledge in George W. Comstock's land thence South twenty seven degrees East ten rods to a heap of stones thence South two and an half degrees

East seventeen rods & ten links to a Rock in said Comstocks land, thence South twenty three degrees West, through the lands of said Comstock James Mason, Joseph Randall, George Smith & Aza Arnold and John Dexter two hundred and seventy three rods to a white Oak in said Dexters land on the west side of Spectacle Pond, thence South four and an half degrees East through the lands of John Dexter, Heirs of Jeremiah Dexter, Lewis Dexter, Peter Pike, Pike & Randall William Dexter and the heirs of James B. Mason four hundred and ninety three rods & fifteen links to a stone set in the ground thence south three and a half degrees west 25 rods and 20 links to a stone set in the ground on the east side of a large oak Tree thence South 6, 2/3 degrees West through Joseph Randalls land Two hundred and fifty five rods and sixteen links to a heap of stones on the north side of the Branch Turnpike Road Seventeen rods and nine links South easterly from the bridge as per Plat herewith returned.

Sept. 8, 1823.

Thomas Mann.
Elisha Mathewson.
William Allin.

[*Report on file in office of Clerk of Court of Common Pleas, in package labelled "Turnpike Reports."*]

*

[**June 11, 1825.**] At a Town Meeting of the Freemen of the Town of Providence holden by Adjournment at the Town House on Saturday the Eleventh Day of June A. D. 1825.

The Town Treasurer makes the following Report

*

Town Treasurers office June 6th 1825

Mr Dexter Thurber having represented to the Town Treasurer that it is necessary a Fence should be erected on the Division Line between his Land and the Land purchased some years since by the Town of Moses Brown and which now lies Common and the Treasurer not Considering himself authorized to direct any Measures relative thereto which may cause Expense Submits the Case to the Town that they may take such Measures or give such Directions as the Circumstances may require. The Land purchased of Mr. Brown as above Contains about Eight Acres and adjoins and now Composes part of the North Burying Ground the whole of which lies Common except an Inclosure around the graves. Before the Eight Acres were purchased by the Town it was inclosed and Mr. Brown and the owner of the Land now belonging to Mr. Thurber were at the joint Expense of the partition Fence but in the Deed of the Land to the Town Mr Brown reserved the Fencing Stuff which he removed off except what inclosed M. Thurbers Lot; that partition Fence is now decayed and M. Thurber claims of the Town to be at half the Expence of a New Fence It therefore seems expedient that a Committee should be appointed to examine and decide in the Case.

Respectfully Submitted
John Howland
T. Treasurer.

Voted and resolved that the Subject of the within Report be referred to Messrs Moses Brown, Stephen Tillinghast and Stephen Martin to ascertain the Bounds of the Burying Ground and to cause to be erected at the Corners permanent Stones And also to enquire into the propriety of erecting a Division Fence between the Burying place and Land of Dexter Thurber Esq. referred to in the within Report. [*Town Meeting Records No. 9, pages 348 & 360.*]

[**April 16, 1828.**] At a Town Meeting of the Freemen of the Town of Providence legally warned and assembled at the Town House in said Town on Wednesday April 16th A. D. 1828.

Voted that the Town Council be a committee to determine how far South tombs may be erected on the North Burying Ground. [*Town Meeting Records No. 10, pages 34 & 39.*]

[**October 1, 1828.**] At a Town Meeting of the Freemen of the Town of Providence holden by adjournment at the Town house on Wednesday the first day of October A. D. 1828.

An Ordinance fixing the bounds for erecting tombs & vaults on the North burying ground Voted and ordained That from and after the passing of this Ordinance no vault or tomb shall be erected or built south of a line drawn from east to west in range with the southerly tomb now on said north burying ground built by John H. Clark.

And it is further voted and ordained that if any person or persons shall after the passing of this ordinance build or cause to be built or erected any vault or tomb south of the line drawn as aforesaid he she or they shall forfeit and pay to and for the use of the town the sum of forty dollars for every such offence by them committed to be sued for and recovered in an action of debt in the name of the Town Treasurer in any Court Competent to try the same And it is further voted and ordained that the Clerk cause this ordinance to be published three weeks in the American and Journal papers printed in this town.

Meeting Disolved.

[*Town Meeting Records No. 10, pages 95 & 97.*]

[**April 21, 1830.**] At a Town Meeting of the freemen of the Town of Providence legally warned and assembled at the Town house on Wednesday the 21st day of April A. D. 1830.

Voted that Peter Daniels be authorized to put and keep the fence

028961

Acres Rods
21 - 120
W. oak tree
white oak tree
stake middle of the brook
heap stones
N 31 E 66 Rods
S 88 E 67½ R.
N 33½ W 15 R.
S 60 W 20
S 67 W 35 R 3 L
N 88½ W 8 R.
N 62 W 5 R.
S 88½ W 3 links

E

Laid out to Edward Randall Esq of North Providence twenty one & $\frac{3}{4}$ acres of land situate partly in Providence and partly in the town of North Providence within the original purchase of Providence on the East side of the seven mile line bounded and described as follows. Viz :- Beginning at a stake within two feet of an Elm Tree near William Randalls house thence running South 67° West thirty-three rods and three links to a stake and stones thence South 60 W twenty rods to a large white oak tree marked thence North West 18 rods to a white oak tree thence north 62 west five Rods to a white oak tree thence south 88½° west eight and a half rods to a while oak tree thence south 29½ west twenty two rods to a heap of stones thence south 8° west nine rods and twenty one links thence south 60° E. sixty nine rods and a quarter to a heap of stones four rods and four links west of the wall on the east side of Pawtucket Turnpike about one rod south of Herendon lane thence north 31° E. east sixty nine rods and one quarter to the middle of the brook to a stake thence north 33½ W fifteen rods and an half to the first mentioned bound and is particularly delineated by the above plat

Laid out on the original right of William Harris on the second forty acres division laid out and bounded as aforesaid April 16° 1829 by Benoni Lockwood Props. Surveyor

Proprietors office Providence Apr. 16, 1829
Examined & allowed
W. R. Staples Props. Com^{e}

Recd. for Record Apr. 16, 1829 at 30 minutes past four o'clk and recorded same day in Book No. 2 Page 377 of the records of returns on the east side the seven mile line
Attest W. R. Staples Proprs. Clk.

Recorded April 16th A.D. 1829
Witness Nathan W. Jackson
T. Clk.

From D.B. 57 p86

C.

around the North Burial Ground in Repair during the temporary absence of Mr Olney the Overseer. [*Town Meeting Records No. 10, pages 171 & 179.*]

[**August 30, 1831.**] At a Town Meeting of the freemen of the Town of Providence legally warned and assembled at the Town House on tuesday the 30th day of August A. D. 1831.

Voted that Peter Daniels & Dexter Thurber be a Committee to repair or rebuild in their discretion the fence on the North Burial Ground the expence thereof to be paid out of the Town Treasury. [*Town Meeting Records No. 10, page 251.*]

[**January Session, 1832.**] An Act in Amendment of an Act to Incorporate the Providence and Boston Railroad Company and for other Purposes.

(This act provides for the transfer of the Providence and Pawtucket Turnpike to the Providence and Boston R. R. Co. for $25000. to be for the use of the state.) [*Acts of General Assembly, January Session, 1832, page 45.*]

[**June 7, 1832.**] Real Estate belonging to the City of Providence.

The North Burying Ground — This tract originally Comprised 45 acres and on the 21st of June 1796 the Town purchased of Moses Brown eight acres adjoining west on the Same after which a Turnpike road was laid through leaving part of the Towns land S. W. of the road this piece was afterwards sold by the Town to Sullivan Dorr and others owners of a Woolen Factory. it has always within my memory been said that there had been Considerable encroachments on different sides of the land and it was thought by some persons that the 8 acres bought of M. Brown had formerly been Stript off the Original 45 acres tho he had purchased it not doubting that the true title was in the person from whom he made the purchase there Certainly ought to be a Survey

and as far as possibe definate the bounds ascertained and monuments of wrought Stone placed at the lines especially as some of the land on the west line of the Pawtucket road is now understood to be endorsed by individuals * * * *

Respectfully Submitted to the Committee of the City Government June 7th 1832 by John Howland late Treasurer.

(In a schedule of real estate compiled by Stephen Tillinghast City Treasurer June 1 1833 the foregoing is repeated.

"Note the City Treasurer is mainly indebted to the last Town Treasurer for the Schedule.")

(June 1st 1834 Same condition reported.)

[*City Council Records No. 1, page 31.*]

[**June Session, 1833.**] (Resolution appointing a Committee to receive the property of the Providence and Pawtucket Turnpike Company in behalf of the state and also authorizing the same Committee to transfer the same to the Providence and Boston Railroad Co. pursuant to an act passed at the Jan. Ses. 1832.) [*Acts of General Assembly, June Session, 1833, page 49.*]

[**April 14, 1834.**] An Ordinance in relation to the North Burial Ground.

Section 1. Be it ordained by the City Council of the City of Providence.

That no person shall erect or build any vault or tomb within the limits of the City burial ground for inclose any part or portion thereof without leave first had and obtained from the City Council

Section 2. That every person who shall violate any provision of this Ordinance shall forfet and pay a sum not less than Ten dollars nor more than Fifty dollars to and for the use of the City to be recovered in an action of the Case in the name of the City Treasurer before the proper Court to try the same.

Section 3. That the overseer of said burial ground shall keep the fences around the same in proper repair and the gates thereof locked and he shall report to the mayor every violation of this Ordinance as soon as may be that the same may be prosecuted.

Passed April 14, 1834.

[*City Council Records No. 1, page 143.*]

[**May Session, 1834.**] The Committee appointed by the General Assembly to take a transfer of the Providence and Pawtucket turnpike road &c ask leave to submit the enclosed papers, and statement of their doings under that appointment The Committee on the nineteenth of August last (having previously had the proper understanding with the turnpike Company) gave notice to the Providence and Boston Rail Road Company, that they were ready to Cause a transfer to be made to them of the Providence and Pawtucket turnpike road &c, agreeable to the terms of their charter. An acknowledgement of this notice with a proposal to accept the transfer within the time and upon the condition specified in their charter, was returned to the Committee on the twenty first of January. At the expiration of the time allowed by the charter viz : on the twentieth of February last, the Committee having received a transfer of the turnpike road gave notice to the railroad company that they were ready to make the transfer of this road to them upon the conditions contained in their charter. On the same day they received an answer of the same import as the one given to their letter of the nineteenth of August; copies of which are enclosed together with all the papers pertaining to their proceedings. The Committee then appointed Thomas Burgess Esq. to take charge of the road, receive the tolls and return his account to them at the present session of the General Assembly which has been done, showing a net balance subject to the direction of the General Assembly of five hundred seventy eight dollars and twenty three cents, for tolls and collections since the trans-

fer of the road. All of which is respectfully submitted by order of the Committee.

James F. Simmons.

[*Acts of General Assembly, May Session, 1834, page 52.*]

[**June 4, 1834.**] Resolved that Messrs Daniels & Angell with such as the Board of Aldermen may add be and they hereby are appointed a Committee to enquire into the expediency of Causing the fence around the North Burial ground to be repaired and of Causing said Burial ground to be surveyed and platted.
Alderman Newell added Passed June 4th 1834.
[*City Council Records No. 1, page 173.*]

[**July 7, 1834.**] Resolved that the Mayor be requested to take such measures as he may deem effectual to Cause the Limits and bounds of said ground to be ascertained and Monuments to be erected there; and also to cause the vacant parts of said ground to be surveyed and platted; and the plat[1] and doings to be reported to the City Government.

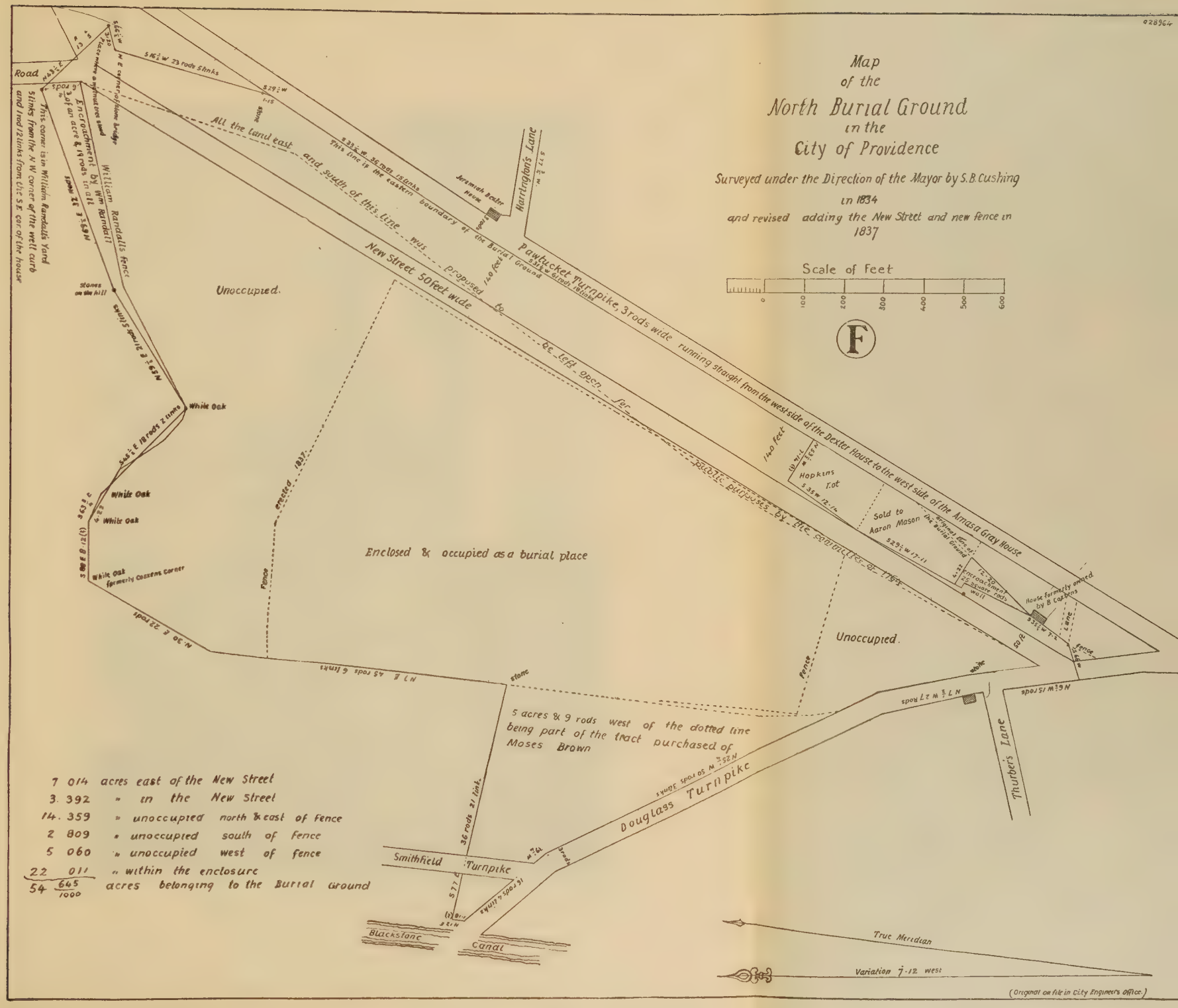
Passed July 7th 1834.

[*City Council Records No. 1, page 181.*]

[**July 7, 1834.**] Resolved that Messrs Daniels & Angell with such as the board of Aldermen may add be a Committee authorized to Cause the fence around the North Burial ground to be so repaired as to answer the purpose intended the present season. Overseer of North burial Ground added. [*City Council Records No. 1, page 181.*]

[**October 6, 1834.**] Resolved that the Communication this day made by the City Treasurer respecting the fence between the Land of Dexter Thurber and the land formerly purchased of Moses Brown by

[1] Plat F.


928964
Map
of the
North Burial Ground
in the
City of Providence
Surveyed under the Direction of the Mayor by S.B. Cushing
in 1834
and revised adding the New Street and new fence in
1837
Scale of Feet
0 100 200 300 400 500 600
F
Road
Encroachment by Wm Randall
William Randalls fence
Stones on the hill
White Oak
White Oak
White Oak
White Oak formerly Cassens corner
All the land east and south of this line was proposed to be left open for public purposes by the Committee of 1764
New Street 50 feet wide
Unoccupied.
Enclosed & occupied as a burial place
Fence erected 1837
Jeremiah Dexter House
Harrington's Lane
Pawtucket Turnpike, 3 rods wide running straight from the west side of the Dexter House to the West side of the Amasa Gray House
This line is the eastern boundary of the Burial Ground
140 feet
Hopkins Lot
Sold to Aaron Mason
Original line of the Burial Ground
House formerly owned by B Cassens
Fence
Unoccupied.
Fence
Stone
5 acres & 9 rods west of the dotted line being part of the tract purchased of Moses Brown
Douglas Turnpike
Thurbers Lane
Smithfield Turnpike
Blackstone Canal
True Meridian
Variation 7-12 west
7 014 acres east of the New Street
3. 392 " in the New Street
14. 359 " unoccupied north & east of fence
2 809 " unoccupied south of fence
5 060 " unoccupied west of fence
22 011 " within the enclosure
54 645/1000 acres belonging to the Burial Ground
(Original on file in City Engineer's Office.)

Plat F opposite page 60.

Monument to Samuel Willard Bridgham
The First Mayor of Providence, 1832–1840

the Town of Providence be and the same is hereby referred to His Honor the Mayor to examine & report thereon

Passed Oct 6th 1834.

[*City Council Records No. 1, page 185.*]

[**October 20, 1834.**] Resolved that the Overseer of the North Burial Ground be furnished by the City Clerk with a Copy of the Ordinance passed by the City Council April 14th 1834 entitled "an ordinance in relation to the North Burial Ground."

Passed Oct 20th 1834

[*City Council Records No. 1, page 187.*]

[**October 20, 1834.**] On the Petition of Nathaniel Aldrich and Westcott Handy stating that they have Staked out and located a burying place for their families in the North burial ground in this City measuring about twenty five feet by eighteen feet making two burying lots with a passage way three feet wide between them and requesting leave to enclose and fence the same for the purpose aforesaid. It is resolved that the prayer of said petition be granted and that said petitioners be and they are hereby authorized to fence in and enclose said land for said purpose provided said fence shall be erected under the direction of the Overseer of the North Burial Ground.

Passed October 20th 1834

[*City Council Records No. 1, page 188.*]

[**November 3, 1834.**] On the petition of George S. Harwood stating that he is desirous to take up and fence in a lot sufficient for his family in the North Burial ground and requesting permission therefor it is Resolved that the prayer of the said petition be granted; and that the said petitioner be & he is hereby authorized to fence in and enclose such lot for such purpose provided the same shall be done under the

direction of the Overseer of the North Burial ground with the Sanction of the Mayor.

Passed November 3d

1834

[*City Council Records No. 1, page 189.*]

[**January 5, 1835.**] On the petition of Willard W. Fairbanks
William W. Pitman
Betsey Brown and
Enos H. Briggs &
Jonathan B. Sisson

severally requesting leave to take up and fence in lots sufficient for burying places for their respective families in the North Burial Ground

It is Resolved that the prayers of the said petitioners be severally granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes; provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor.

Passed January 5th

1835

[*City Council Records No. 1, page 192.*]

[**March 2, 1835.**] On the Petition of Asa & Jonathan Pike for leave to erect a Tomb in the North Burial ground It is Resolved that the prayer of said petition be & the same is hereby granted and that the said petitioners be & they are hereby authorized to erect a Tomb in said Burial ground provided the same shall be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor.——

Passed March 2, 1835.——

[*City Council Records No. 1, page 197.*]

[**March 9, 1835.**] Resolved that Messrs Daniels Angell & Pabodie with such as the board of Aldermen may add be and they are hereby appointed a Committee to enquire into the expediency of Placing a new fence around the North burial ground and in Case said Committee shall deem it expedient for a new fence to be erected that they be and hereby are authorized and empowered to procure suitable Materials and Cause such fence to be erected; and that the City Treasurer be and he is hereby authorized and directed to pay the expense thereof to the order of said Committee.

Resolved that the sum of Four hundred dollars be and the same is hereby appropriated for the purpose aforesaid to be paid out of any money in the Treasury not otherwise appropriated Alderman Newell added.

Passed March 9th 1835.

[*City Council Records No. 1, page 198.*]

[**April 6, 1835.**] On the Petition of John A. Townsend requesting leave to fence in and enclose a lot sufficient for a Burying place for his family in the North burial ground it is

Resolved that the prayer of said petition be granted: and that the said John A. Townsend be and he hereby is authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor.

Passed April 6th 1835

[*City Council Records No. 1, page 198.*]

[**May 11, 1835.**] On the Petition of George Bailey
William Bailey &
James Cavenaugh

requesting leave severally to fence and enclose burying lots, sufficient for their respective families in the North burial ground It is Resolved

that the prayers of said petitions be granted and that the said Petitioners be and they hereby are severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor.

Passed May 11th 1835

[*City Council Records No. 1, page 203.*]

[**May 18, 1835.**] On the Petition of Augustus J. Winship requesting leave to fence in and enclose a burial lot in the North Burial Ground sufficient for his family It is Resolved that the prayer of said petition be granted and that the said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose; provided the same be done under the direction of the Overseer of the North burial Ground with the sanction of the Mayor.

Passed May 18th 1835.

[*City Council Records No. 1, page 205.*]

[**May 30, 1835.**] Schedule of Real Estate belonging to the City.

The North burial ground originally Comprised 45 acres & in June 1796 the Town purchased of Moses Brown Eight acres adjoining westerly on the same after a turnpike road was made through it leaving part of the City's land Sº west of said road, this piece was afterwards sold to to S Dorr & others the subject of this ground is now in the hands of a Committee to ascertain its boundaries &c.

Providence May 30th 1835

Stephen Tillinghast City Treasurer.

[*City Council Records No. 1, page 214.*]

[**June 1, 1835.**] Resolved that Mr Martin be and he is hereby appointed a member of the Committee appointed by the resolution of the City Council of the second of March last to procure suitable materials and Cause a fence to be erected around the north burial

ground in the place of Mr Daniels who has ceased to be a member of the Common Council. [*City Council Records No. 1, page 218.*]

[**July 6, 1835.**] On the petition of Abraham Alexander requesting leave to fence in and enclose a burying lot in the North burial ground sufficient for his family It is Resolved that the prayer of said petition be granted; and that the said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North Burial ground with the Sanction of the Mayor.

Not dated

Probably passed July 6, 1835.

[*City Council Records No. 1, page 227.*]

[**August 10, 1835.**] Upon the Petition of Thomas Symonds requesting leave to fence in and enclose a burying lot in the North Burial Ground sufficient for his Family It is Resolved that the Prayer of said Petition be granted and that the said Petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor

Passed August 10 1835

[*City Council Records No. 1, page 230.*]

[**November 2, 1835.**] On the petition of Humphry Sprague
David Thorp
Branford Briggs
Enos Briggs &
William Howard Jr.

severally requesting leave to fence in and enclose burying lots for their respective families in the North burial ground It is Resolved that the prayers of said petitions be and the same are severally granted and that

the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose; Provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor.

Passed November 2 1835

[*City Council Records No. 1, page 238.*]

[**February 1, 1836.**] On the petition of Henry Martin requesting leave to fence in and enclose a burying lot for his Family in the North burial ground It is Resolved that the same be received and the prayer thereof granted and that the said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor.

Passed February 1 1836.

[*City Council Records No. 1, page 240.*]

[**April 4, 1836.**] Upon the petition of William Thurber 2d Ebenezer C. Cook & Henry Thurber requesting leave to fence in and enclose burying lots in the North Burial Ground sufficient for their respective families It is Resolved that the same be received and the prayer thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose; provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor

Passed April 4th 1836.

[*City Council Records No. 1, page 245.*]

[**May 2, 1836.**] Upon the petition of James H. Read requesting leave to fence in and enclose a burying lot in the North Burial ground sufficient for his family it is Resolved that the same be received and the prayer thereof Granted and that the said petitioner be and he is hereby

authorized to fence in and enclose such lot for such purpose, provided the same be done under the direction of the Overseer of the North Burial ground with the Sanction of the Mayor

Passed May 2d 1836

[*City Council Records No. 1, page 248.*]

[**May 2, 1836.**] Upon the petition of John A. Mc Dougold & Alfred W. Pratt requesting leave to fence in and enclose a burying lot sufficient for their families in the North Burial ground it is Resolved that the same be received and the prayer thereof granted and that said petitioners be and they are hereby authorized to fence in and enclose such lot for such purpose; provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor

Passed May 2d 1836.

[*City Council Records No. 1, page 248.*]

[**May 10, 1836.**] On the petition of Rhoda Ann Benson wife of Tolon Benson praying in behalf of her said husband that leave may be Granted him to fence in and enclose a burying lot sufficient for his family in the North burial ground it is Resolved that the same be received and the prayer thereof granted and that the said Tolon Benson be and he is hereby Authorized to fence in and enclose such lot for such purpose; provided the same be done under the direction of the overseer of the North burial ground with the Sanction of the Mayor

Passed May 10th 1836.

[*City Council Records No. 1, page 250.*]

[**May 31, 1836.**] Schedule of Real Estate belonging to the City of Providence.

The North burial ground Comprises about fifty acres of which about

14 acres are enclosed a new fence having been erected during the past year.

Office of Treasurer

Providence May 31st 1836

Submitted by Stephen Tillinghast

City Treasurer.

[*City Council Records No. 1, page 254.*]

[**July 11, 1836.**] Upon the petitions of Jacob Stever John Esek Brown James Smith & John Aylsworth requesting leave to fence in and enclose burying lots in the North Burial Ground sufficient for their families respectively. It is Resolved that the same be severally received and the prayers thereof granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose; Provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor and Provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall severally Continue during the pleasure of the City Council and no longer

Passed July 11th 1836.

[*City Council Records No. 1, page 269.*]

[**August 29, 1836.**] Upon the Petition of Henry P. Yeomans and Amos D. Yeomans and of Abraham Stillwell for himself and the heirs of John Davis deceased requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground, It is Resolved that the same be severally received and the prayers thereof granted; and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor And pro-

vided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall severally Continue during the pleasure of the City Council and no longer.

Passed August 29, 1836.

[*City Council Records No. 1, page 277.*]

[**November 7, 1836.**] Upon the Petition of Thomas & William Fletcher respecting leave to fence in and enclose a burying lot in the North burial ground sufficient for their families It is Resolved that the same be received and the prayer thereof granted And that the said petitioners be and they are hereby authorized to fence in and enclose such lot for such purpose Provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor and provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed November 7, 1836.

[*City Council Records No. 1, page 281.*]

[**December 5, 1836.**] Upon the Petition of Jonathan Tiffany Jun. requesting leave to fence in and enclose a burying lot sufficient for his family in the North burial ground It is Resolved that the same be received and the prayer thereof granted And that the said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor and provided also that the privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed December 5th 1836.

[*City Council Records No. 1, page 284.*]

[**February 7, 1837.**] Upon the petition of William Aplin Stephen A. Aplin Frances Aplin & Elijah Seldon requesting leave to fence in and enclose burying lot sufficient for their respective families in the North burial Ground it is resolved that the same be received and the prayers thereof granted and that the said petitioners be and they are hereby authorized severally to fence in and enclose such lots for such purpose; provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer

Passed February 7th 1837.

[*City Council Records No. 1, page 292.*]

[**April 10, 1837.**] Upon the petition of Thomas Prentiss requesting leave to fence in and enclose a burying lot sufficient for his family in the North Burial ground it is Resolved that the same be received and the prayer thereof granted and that the said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose Provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor and provided also that the privilege hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer.

Passed April 10 1837.

[*City Council Records No. 1, page 300.*]

[**June 5, 1837.**] Office of City Treasurer

Providence June 5th 1837

Gentlemen I have the Honor of enclosing herewith A Schedule of Real Estate belonging to the City "Schedule of Rents" Statement of

City debt, together with my account Current for the year ending May 31 last

I Remain with great Respect
Yr Obdt Servant
Stephen Tillinghast
City Treas r

Read with accompanying documents whereupon it is Resolved that the same together with said documents be received and recorded.

The North Burial ground Comprises about fifty acres of which about 14 acres are enclosed a new fence having been erected in 1835. [*City Council Records No. 1, pages 308, 374, 416, 484.*]

[**June 26, 1837.**] Upon the petition of Oliver Angell for himself and in behalf of Deborah Messer requesting leave to fence in and enclose a burying lot in the North burial ground sufficient for their families it is Resolved that the same be received & the prayer thereof granted And that the said petitioners be and they are hereby authorized to fence in and enclose such lot for such purpose, provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor And provided the privilege hereby granted be subject to all future regulations of the City Council and Continue during the pleasure of the City Council and no longer.

Passed June 26 1837.

[*City Council Records No. 1, page 325.*]

[**July 31, 1837.**] Upon the Several petitions of Morris Deming Charles C. Mowry and Edward Billings requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayers thereof granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose

provided the same be done under the direction of the Overseer of the North Burial Ground with the Sanction of the Mayor and Provided the several privileges hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer.

Passed July 31 1837.

[*City Council Records No. 1, page 328.*]

[**August 29, 1837.**] Truman Beckwith Allen Brown B. W. Comstock I. I. Comstock W. W. Comstock Ann Comstock Edward Harwood Edward Harwood Junr. & Benjamin C. Curtis having petitioned for leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground

Resolved that each of the several petitioners be and they hereby are authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer

Passed August 29 1837.

[*City Council Records No. 1, page 330.*]

[**October 23, 1837.**] Upon the several petitions of Thomas J. Griffin and Alfred G. Peckham requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial ground it is Resolved that the same be severally received and the prayers thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes provided the same be done under the direction of the overseer of the North Burial ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regula-

tions of the City Council and shall Continue during the pleasure of the City Council and no longer

Passed October 23 1837.

[*City Council Records No. 1, page 335.*]

[**November 27, 1837.**] Upon the several Petitions of Seth Thayer Seth W. Thayer Isaac Brown and Nathaniel W. Brown requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial ground it is Resolved that the same be received and the prayers thereof severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer

Passed November 27, 1837.

[*City Council Records No. 1, page 336.*]

[**January 15, 1838.**] Upon the petition of Joseph A. Chedel requesting leave to fence in and enclose a burying lot sufficient for his family in the North Burial ground it is Resolved that the same be received and the prayer thereof granted and that said petitioner be and he is hereby authorized to fence in and enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and Provided the privileges hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer.

Passed January 15th 1838.

[*City Council Records No. 1, page 340.*]

[**February 3, 1838.**] An Act Concerning Crimes and Punishments.

Be it enacted by the General Assembly as follows:

Chapter Sixth.

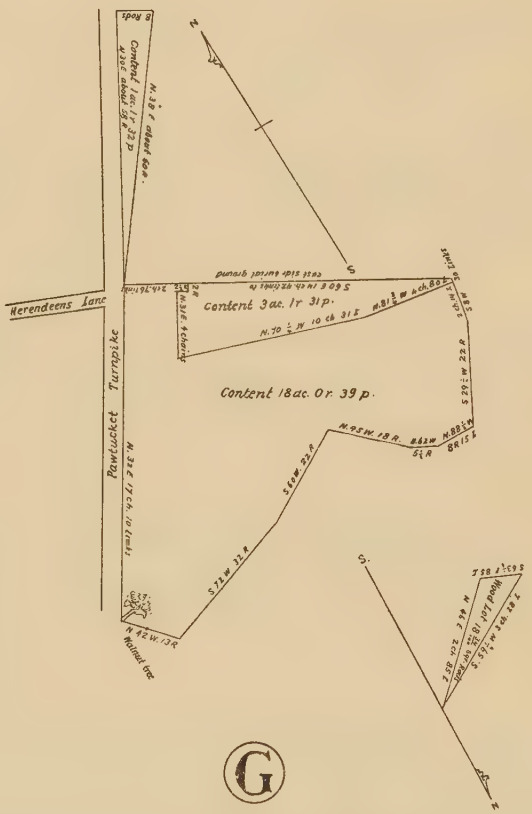
Of Offences against Chastity, Morality and Decency.

Section 10. Every person who shall be convicted of secretly digging up, or carrying away, any human body from its place of sepulture, or of knowingly concealing any such body so dug up or carried away shall be imprisoned not exceeding ten years or fined not exceeding one thousand dollars.

Section 11. Every person who shall be convicted of wilfully and maliciously destroying mutilating, defacing, covering over, injuring or removing any tomb, monument, gravestone, or other structure or thing placed or designed for a memorial of the dead or any fence, railing, curb, tree or shrub or other thing intended for the protection or for the ornament of any tomb monument gravestone or other structure before mentioned, or of any inclosure of the sepulture of the dead, shall be imprisoned not exceeding ten months or fined not exceeding five hundred dollars.

Note. In the General Laws — edition of 1857 — the foregoing appears modified slightly so that it reads as follows: Sec. 21 Every person who shall be convicted of secretly disinterring, digging up, removing or carrying away etc. [*General laws of Rhode Island, 1822-1842. See act passed February 22, 1817, also at October Session 1838, page 49.*]

[**April 9, 1838.**] Upon the Petition of Hannah Hunter requesting leave to fence in and enclose a burying lot sufficient for her family in the North Burial ground it is Resolved that the same be received and the prayer thereof granted and that the said petitioner be and she is hereby authorized to fence in and enclose such lot for such purpose, provided the same be done under the direction of the Overseer of the



Relayed, measured & Laid out to Edward Randall Esq. of North Providence nineteen acres & thirty rods of Land on the east side of the seven mile line within the Original purchase of Providence situate lying and being in the Town of Providence, being in three pieces the first whereof is on the east side of the river adjoining on north side of the North Burial Ground bounded as follows, viz: beginning at a point nearly opposite of the south side of Herendens lane on the west side of Pawtucket Turnpike road, thence North 32 East 17 chains & 10 links bounding on said road to near the brook, formerly a walnut tree, thence North 42 West 13 rods, thence South 72 West 32 rods, thence South 60 West 22 rods, thence North 45 West 18 rods, thence North 62 West 5½ Rods, thence North 88¼ W. 8 rods 15 Links, thence South 29½ West 22 Rods, thence South 8 West 2 Ch⁵ 14 Links, thence South 81¾ East 4 Ch 80 L, thence South 70½ East 10 Chains & 13 links, thence South 31 West four chains, thence Westerly at right angles 2½ R, thence Southerly at aright angle, and thence South 60 E 3 Ch 38½ L to the place of beginning Also one other piece of land situate in the Town aforesaid lying on the East side of said burial ground bounded as follows beginning at the end of the line last mentioned course thence South 30 West about 58 Rods, thence at a right angle Westerly 8 Rods, thence North 38 East about 60 Rods to the place of beginning Likewise one other piece of land belonging to said Randall lying North Providence on the cross road Westerly from Horton Grove, bounded as follows, beginning at the North East corner thereof at a stone bound, thence south 59¾ W 3 Ch 28 L, thence South 63½ East 85 links, thence North 46 East 2 Chs. 85 The first described lot contains 19 acres & 39 and is hereby relayed and remeasured, having been on 16th day of April A D 1829 laid out by me for the said Randall as appears by his return since recorded, the rest of the land in said return being covered by older and paramount title is relinquished by said Randall

The second lot contains one acre & 32 rods, and the third and last lot forty two & a half Rods and is laid out in lieu of the land covered by the former returns and now relinquished as aforesaid on the original right of William Harris on the second forty acre division Relayed remeasured and laid out as aforesaid this 12th day May A D 1838 by Benoni Lockwood Prop' Surveyor March 4, 1839 examined & allowed

Recorded in Book No 2 page 389 for recording returns of east side seven mile line. W. R Staples Propr. Com.

W. R Staples Proprs. Com.

C.

Plat G opposite page 75.

North Burial Ground with the sanction of the Mayor and provided also that the privilege hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer

Passed April 9th 1838.

[*City Council Records No. 1, page 351.*]

[**June 4, 1838.**] Upon the Petitions of Alexis Caswell Richard Waterman Freeman Foster John Barstow George W. Jackson Nabby Jackson Charles Jackson Henry Jackson James Dennis John F. B. Flagg George H. Hopkins Ezekiel Carpenter William T. Pullen Hezekiah Sabin William D. Salisbury and John Payton severally requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the same be received and the prayers thereof granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes Provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor; and provided also that the several privileges be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed June 4 1838.

[*City Council Records No. 1, page 369.*]

[**July 16, 1838.**] Upon the Petition of William L. Burroughs and Joshua H. Work severally requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayers thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose Provided

the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor And provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed July 16, 1838.

[*City Council Records No. 1, page 379.*]

[**August 6, 1838.**] Upon the Petition of William W. Aldrich and Isaac Goddard praying for leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground It is Resolved that the same be received and the prayers thereof granted and that the said petitioners be and they are hereby authorized to fence in and enclose such lots for such purposes; provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor and provided the several privileges granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed August 6th 1838.

[*City Council Records No. 1, page 380.*]

[**August 20, 1838.**] Upon the Petition of Earl D. Pearce James Wheaton Thomas R. Holden Luther Lyon John D. Jones Albert J. Jones and William B. Dean severally requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the same be received and the prayers thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes; Provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor and provided also

that the several privileges hereby granted shall be subject to all future regulations of the City Council & shall continue during the pleasure of the City Council and no longer.

Passed August 20th 1838.

[*City Council Records No. 1, page 382.*]

[**September 24, 1838.**] Upon the several petitions of William E. Cutting and Lewis Leveck severally requesting to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayers thereof granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and Provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer

Passed Sept 24, 1838.

[*City Council Records No. 1, page 387.*]

[**October Session, 1838.**] An Act in addition to "an act to prevent the violation of the sanctuary of the Dead"

Be it enacted by the General Assembly as follows:

Section 1. Hereafter it shall not be lawful to locate or construct any rail-road, canal, turn-pike road, highway or public easement whatever, in, upon or through any grave, graves or enclosures used or appropriated for the burial of the dead, without the consent of the proprietor or proprietors thereof; and in case such place of burial belongs to, or is used by the inhabitants of any town, without the consent of the town in which the same is situated.

Section 2. If any person shall wilfully destroy, mutilate, deface, injure, remove or cover over by embankment or otherwise any tomb,

monument, gravestone, or other structure placed or erected to the memory of the dead; or any fence, railing or other curb; or tree or trees, shrub or shrubs, for the protection or ornament of such tomb, monument, grave, or other structure consecrated to the memory of the dead, he shall be liable to the penalty in this act provided.

Section 3. Every person offending against the provisions of this act shall be liable to be indicted therefor before any court of competent jurisdiction: and to be sentenced to a fine not exceeding one thousand dollars, and to be imprisoned not exceeding six months one or both at the discretion of the court. [*Acts of General Assembly, October Session, 1838, page 49. See acts of Feb. 22, 1817, and Feb. 3, 1838.*]

[**November 5, 1838.**] Upon the petition of William R. Staples requesting leave to fence in and enclose a burying lot sufficient for his family in the North burial ground it is resolved that the same be received and the prayer thereof granted and that said petitioner be and he is hereby authorized to fence in and enclose such lot for such purpose provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor and provided also that the privilege hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City City Council and no longer

Passed November 5th 1838.

[*City Council Records No. 1, page 388.*]

[**December 3, 1838.**] Upon the several Petitions of James P. Butts and Samuel H. Thomas requesting leave to fence in and enclose burying lots sufficient for their respective families in the north Burial ground; It is resolved that the same be received and the prayers thereof granted and that the said Petitioners be and they are hereby authorized

to fence in & enclose such lots for such purpose; provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor and provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council and shall Continue during the pleasure of the City Council and no longer

Passed December 3d 1838.

[*City Council Records No. 1, page 390.*]

[**December 31, 1838.**] Upon the Petition of Augustus Ellis and Amey Collins requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the same be received and the prayers thereof granted and that said petitioners be and they are hereby authorized to fence in and enclose such lots for such purpose; provided the same be done under the direction of the overseer of the North burial ground with the sanction of the Mayor and provided also that the several privileges hereby granted be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer

Passed December 31st 1838.

[*City Council Records No. 1, page 392.*]

[**March 29, 1839.**] Upon the Petition of Christopher B. Arnold & Welcome Arnold requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial Ground it is Resolved that the same be received and the prayers thereof granted and that said Petitioners be and they are hereby authorized to enclose such lots for such purposes Provided the same be done under the direction of the Overseer of the North Burial ground with the Sanction of the Mayor and Provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation

thereto and shall Continue during the pleasure of the City Council and no longer

Passed March 29th 1839

[*City Council Records No. 1, page 400.*]

[**May 13, 1839.**] Resolved that the Surveyor of Highways be and he hereby is directed to Cause that portion of the North Burial Ground lot lying South of the South fence to be graded or levelled and, also to Cause the holes which have been dug or made in that portion of said lot lying North of the north fence to be filled up

Passed May 13 1839

[*City Council Records No. 1, page 405.*]

[**June 3, 1839.**] Upon the Petitions of Mary Gardner Thomas Hall Daniel S. Amsbury Thadeus Carey & Amos Baker requesting leave to fence in & enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the same be received & the prayers thereof severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purposes provided the same be done under the direction of the overseer of the North Burial ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer

Passed June 3 1839

[*City Council Records No. 1, page 423.*]

[**June 24, 1839.**] Upon the petition of Mary W. Rounds Joseph Veazie Susan Perry & Jabez Gorham severally requesting leave to fence in an enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayer thereof granted and that said petitioners be and they are hereby

severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer

Passed June 24 1839.

[*City Council Records No. 1, page 436.*]

[**August 26, 1839.**] Upon the several petitions of Israel Amsbury Hannah Smith Gideon Palmer Richard Palmer Jonathan S. Palmer Nathaniel Searle & William S. Patten requesting leave to fence in & enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayers thereof severally granted and that the said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the Sanction of the Mayor And provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed August 26, 1839.

[*City Council Records No. 1, page 442.*]

[**October 21, 1839.**] An Ordinance in relation to the Interment of the Dead.

Section 1. Be it Ordained by the City Council of the City of Providence that there shall be annually appointed on the first Monday of June by the City Council, a sufficient number of persons to act as undertakers removable at the pleasure of the City Council.

Section 2. That every undertaker shall make return to the Clerk of the Board of Health between the hours of nine o'clock A. M. and

two o'clock P. M. of the first Wednesday of each month of all interments made and funerals conducted by him during the preceding month in form as follows to wit.

An accurate list of all interments made by me between the day of and the day of

Name.	Sex.	Married or Single.	Widow or Widower.	Age.	Color.	Resident or Non-Resident.	Street.	Disease.	Date of Death.	Remarks.

Undertaker.

Section 3. That all funerals shall take place between sunrise and sunset unless otherwise permitted or directed by the Board of Health. The top of every coffin deposited in the ground shall be at least four feet below the usual surface thereof.

Section 4. That the Clerk of the Board of Health shall prepare an abstract of all returns made to him, and report the same to the Board of Health on the Monday next succeeding the last Wednesday of each month. The board of health shall cause a monthly abstract of all such returns to be published in all the news papers which contract to do the city printing and shall also prepare and publish in all the said news-papers in the first week in January in each year an abstract of all the returns made to them to the close of the preceding year.

Section 5. That every undertaker who shall violate any of the provisions of this ordinance shall forfeit and pay the sum of ten dollars for

each offence to and for the use of the city to be recovered in an action of debt in the name of the City Treasurer before the proper court to try the same.

Section 6. That any person other than such an undertaker who shall manage or conduct a funeral or inter or remove from the city a dead body shall first obtain permission in writing from the Board of Health or in their recess from the Clerk or one of the members of said board, to do the same; and after said interment or removal is made shall make return as is directed to be made by undertakers in the second section of this ordinance; and for every neglect or refusal to obtain such permission or to make such return shall forfeit and pay the sum of ten dollars to and for the use of the city to be recovered in an action of debt in the name of City Treasurer before the proper court to try the same.

Section 7. That all permissions given pursuant to the provisions of the sixth section of this ordinance shall be free of charge.

Section 8. That all returns made by an undertaker or other person shall be recorded by the Clerk of the Board of Health in a book to be kept expressly for that purpose.

Section 9. That this ordinance shall go into effect from and after the thirty first day of December A. D. 1839 and that on or before that day there shall be appointed by the City Council a sufficient number of persons to act as undertakers as aforesaid removable as aforesaid and to hold their said offices from and after the said thirty first day of December A. D. 1839 till the first Monday of June A. D. 1840

Section 10 That this ordinance be published three weeks successively in the Providence Daily Journal, the Manufacturers and Farmers Journal and the Independent Inquirer

Passed Oct. 21 1839.

[*City Council Records No. 1, page 449.*]

[**December 23, 1839.**] An Ordinance in amendment of an Ordinance Entitled "An Ordinance in Relation to the Interment of the Dead."

Sec. 1 Be it ordained by the City Council of the City of Providence That the returns required to be made by the Undertaker under the second section of said ordinance shall be made on the first instead of the last Wednesday of each month

Sec. 2. That the top of every coffin deposited in the ground may be three feet only below the usual surface Thereof instead of four feet as is required by the third section of said ordinance.

Sec. 3. That the time for the clerk of the Board of Health to make his report to said Board be the Monday next succeeding the first instead of the last Wednesday of each month as is required by the fourth section of said ordinance; and that the time prescribed in and by the same section of said ordinance for the Board of Health to prepare & publish an annual abstract of the returns made to them be extended to the second week in January in each year.

Section 4. That this ordinance be published three weeks successively in all the newspapers in which city printing is contracted to be done.

Passed December 23, 1839.

[*City Council Records No. 1, page 455.*]

[**December 23, 1839.**] Upon the Several Petitions of Job Luther Joseph Eddy Ezra N. Samson Kingsley P. Studley Sally B. Comstock Almon D. Hodges William H. Townsend & Cornelius W. B. Bennett requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial ground it is Resolved that the same be received and the prayers thereof severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose; Provided the same be done under

the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and Provided also that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed Dec. 23d 1839.

[*City Council Records No. 1, page 456.*]

[**March 30, 1840.**] Upon the several Petitions of George McCarty Joseph S. Cooke Charles W. Rhodes William Sabin Amey Sabin Alpheus Burges William Bradley and Augustus Stevens requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground it is resolved that the same be received and the prayers thereof severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed March 30 1840.

[*City Council Records No. 1, page 472.*]

[**May 18, 1840.**] Upon the several Petitions of Huldah S. Tripp John Wright Fanny Vaughan Edward S. Underwood John R. Dennis and William C. Millerd requesting leave to fence in & enclose burying lots sufficient for their respective families in the North burial ground it is resolved that the same be received and the prayers thereof severally granted and that said Petitioners be and they are hereby authorized to fence in & enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial ground with the

sanction of the Mayor And Provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed May 18 1840.

[*City Council Records No. 1, page 475.*]

[**June 15, 1840.**] Upon the several Petitions of Edward Hall Stanton Thurber Mary Earle William Earle Daniel L. Perry and John B. Earle requesting leave to fence in and enclose burying lots sufficient for their respective families in the North burial ground it is Resolved That the same be received and the prayer thereof granted and that said Petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed June 15 1840

[*City Council Records No. 1, page 500.*]

[**September 28, 1840.**] Upon the Petition of Thomas Harkley Charles Greenwood[1] Diana Bragg Philander White Nicholas C. Hill Edward S. Sheldon and David Crowley requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved That the same be received and the prayers thereof severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor and pro-

[1] Should be Grimwood

vided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed Sept 28th 1840.

[*City Council Records No. 2, pages 11 & 12.*]

[**December 14, 1840.**] Upon the several petitions of George W. Weeden Ebenezer Cary and Lewis F. Hubbard severally requesting leave to fence in and enclose burying lots in the North Burial Ground it is resolved that the same be received and the prayer thereof severally granted and that said petitioners be and they are hereby authorized to fence in and enclose such lots for such purposes Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed December 14 1840.

[*City Council Records No. 2, pages 16 & 17.*]

[**February 22, 1841.**] Upon the several petitions of Josiah Barney Jonah Steere John Atkinson and Charles H. Handy requesting leave to fence in and enclose Burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the prayers thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed Feb 22 1841.

[*City Council Records No. 2, page 23.*]

[**May 10, 1841.**] To the City Council of the City of Providence The Surveyor of Highways respectfully reports That as directed by the Resolution of the City Council passed May 13 1839 he has caused the portion of the North Burial Ground lying South of the fence to be levelled and graded so far as seemed to be expedient considering the Elevation of the adjacent Streets and that he has expended on said work one hundred ninety six dollars.

That the lot has not been brought by the labor done to a perfectly uniform grade to do which would require a large Expenditure both upon the lot and the Streets; And that acting with the advice of the Mayor he has suspended operations for the present and respectfully submits this report of what has been done.

Providence May 10 1841 H. G. Mumford Surveyor.

Read whereupon it is Resolved that the same be received

Passed May 10 1841.

[*City Council Records No. 2, page 32.*]

[**May 10, 1841.**] Upon the several petitions of David W. Barney Benjamin Priest Harriet Hazard John F. Jolls George A. Lummus & John A. Wadsworth requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the same be received and the Prayers thereof granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose; provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to the future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed May 10 1841.

[*City Council Records No. 2, page 33.*]

[**June 15, 1841.**] Upon the several petitions of Barker T. Yerrington John McPhail Arba B. Dike and James Mumford requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground It is Resolved that the prayers of said petitioners be severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor & provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed June 15 1841.

[*City Council Records No. 2, page 58.*]

[**September 13, 1841.**] Upon the Report of the Committee to whom was referred the petition of Warren Batcheller respecting the triangular piece of the City's land lying South of the North Burial ground it is Resolved that the same be received and that the Standing Committee on Highways be and they are hereby authorized and directed to Cause said land to be graded, enclosed with a suitable fence and walks to be laid and trees planted therein whenever the sum of six hundred dollars shall have been raised by subscription and paid into the hands of said Committee towards defraying the expense thereof And that the sum of six hundred dollars be and the same is hereby appropriated for the payment of the residue of such expense to be paid by the City Treasurer to the Chairman of said Committee out of any money in the City Treasury not otherwise appropriated whenever the said first named sum shall have been paid over to said Committee.

Passed Sept. 13, 1841.

[*City Council Records No. 2, page 68.*]

[**October 11, 1841.**] Upon the several petitions of George B. Jastram & John A. Jastram and of Martin Bailey & Ase Howard and of Mary Arnold George M. Richmond John Gladding Elizabeth G. Chandler Amey Shin Arnold and Nathan B. Hall requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council and no longer.

Passed Octob. 11, 1841.

[*City Council Records No. 2, page 72.*]

[**January 10, 1842.**] The Committee on City Property to whom was referred the petition of Henry J. Duff Patrick Healy Patrick Hammell & others praying for a grant as a Donation to the Catholics of this City a portion of the North burial ground for their use exclusively.

Respectfully Report that they have Considered the subject and have come to the conclusion that the City does not possess the right & therefore Cannot grant as a donation to any Society whatever for their use exclusively any portion of the said burial ground. They therefore report against granting the prayers of said Petition.

For the Committee.

Providence Jany 10th 1842 Jas E. Butts Ch^{n}.

Read whereupon it is Resolved that the same be received and that the Petitioners named therein have leave to withdraw their petition.

Passed January 10 1842.

[*City Council Records No. 2, page 75.*]

[**April 6, 1842.**] Upon the several petitions of Celindia W. Dennis Elias Stoyles William Mitchell Welcome Angell and Nicholas Easton severally requesting leave to fence in and enclose burying lots sufficient for their respective families in the north burial Ground it is Resolved That the prayers thereof be and the same are hereby granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council & no longer.

Passed April 6th 1842.

[*City Council Records No. 2, page 78.*]

[**April 19, 1842.**] Upon the several petitions of John Donley & Thomas W. Foley requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be severally granted & that said petitioners be & they are herewith severally authorized to fence in & enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the pleasure of the City Council & no longer.

Passed April 19th 1842.

[*City Council Records No. 2, page 78.*]

[**May 10, 1842.**] An Ordinance in addition to an Ordinance in relation to the interment of the dead.

Be it Ordained by the City Council of the City of Providence as follows viz.—

Section 1. Whenever any person shall die in this City it shall be the duty of the Physician attending in his or her last sickness to leave within forty-eight hours after the death, at the last residence of such deceased person a certificate stating the disease or accident which caused his or her death which certificate shall be delivered to the Undertaker who may conduct the funeral of such deceased.—

Section 2. No Undertaker or other person shall bury the body of any person dying in this city without first enquiring for the certificate of the physician as aforesaid, and if no such certificate can be procured the undertaker or person directing the funeral shall within three days after such funeral report the want of the certificate to the City Clerk, and the undertaker shall with their monthly returns deliver the physicians certificate to the City Clerk.

Section 3. Every Physician omitting or neglecting to leave such certificate as aforesaid and every undertaker or other person violating any of the provisions of this ordinance shall forfeit & pay the sum of five dollars for such offence to be recovered for the use of the City before any court of competent jurisdiction.

Section 4. This Ordinance shall go into operation on the first day of July next.

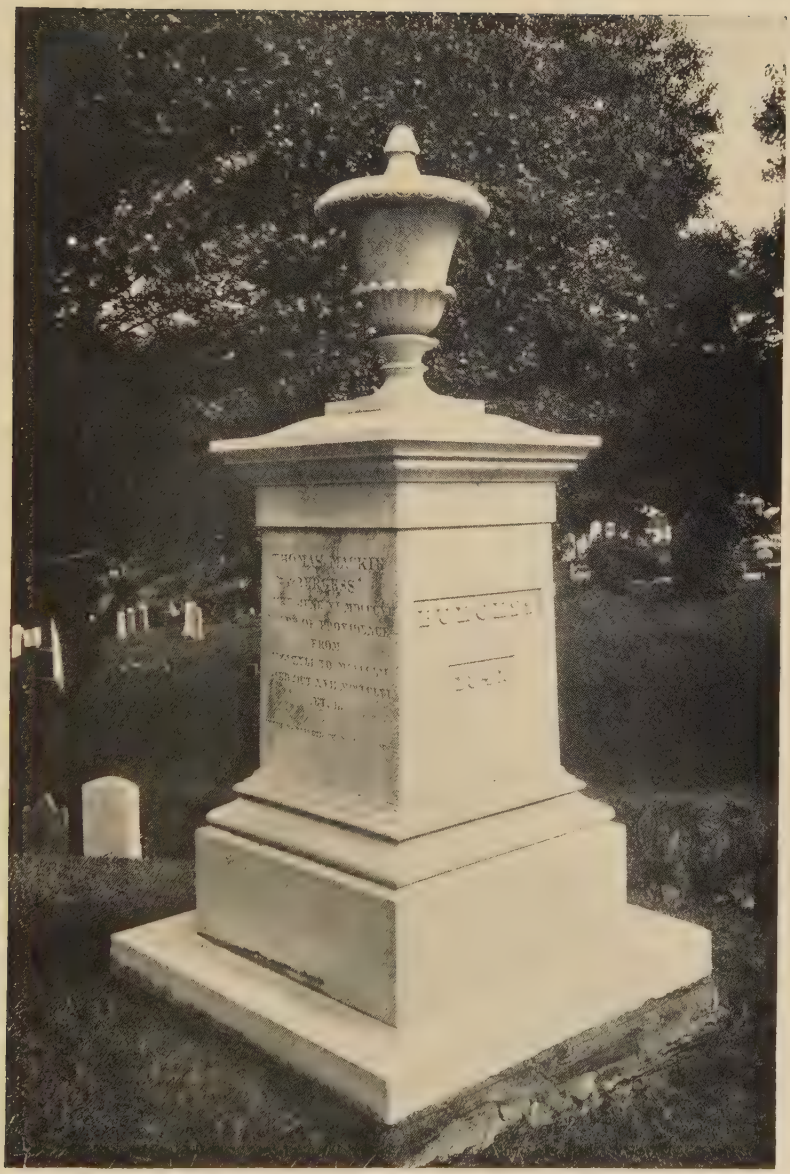
Passed May 10 1842.

[*City Council Records No. 2, page 80.*]

[**May 10, 1842.**] An Ordinance in addition to an Ordinance entitled "An Ordinance in relation to the interment of the dead"

Be it Ordained by the City Council of the City of Providence as follows, to wit.

Section 1. No Undertaker or other person shall hereafter bury or cause to be buried the body of any deceased person except in such grounds as are now known and used as burying grounds or such as shall hereafter be by the City Council designated as burying grounds & authorized to be used as such—



Monument to Thomas Mackie Burgess
Mayor of Providence 1841–1852

Section 2. Every person so offending shall forfeit & pay for every offence the sum of Forty dollars to & for the use of the City to be sued for & recovered in an action of debt in the name of the City Treasurer before the proper Court to try the same —

Section 3. This Ordinance shall be published for three weeks in the Providence Journal the Manufacturers & Farmers Journal & the Independent Inquirer.—

Passed May 10 1842.

[*City Council Records No. 2, page 80.*]

[**August 29, 1842.**] Upon the several petitions of George J. Harris James E. Budlong Elizabeth Bridgham requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be granted and that the said petitioners be and they are hereby severally authorized to enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted be subject to all future regulations of the City Council in relation thereto & shall Continue during the pleasure of the City Council & no longer.—

Passed August 29 1842.

[*City Council Records No. 2, page 101.*]

[**September 26, 1842.**] Upon the several petitions of William P. Read William Angell John H. Lonsdale Peter Church William H. Crins Alexander Eddy William Wirling Augustus Arnold Horace Cole William Cameron William W. Chace Bowen Spencer Samuel T. Manchester & James M. Turner requesting leave to fence in & enclose Burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be granted & that said petitioners be and they are hereby severally authorized to fence in &

enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor & provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council & no longer.

Passed Sept. 26 1842.

[*City Council Records No. 2, page 103.*]

[**October 31, 1842.**] Upon the petition of Cyril Babcock Albert Angell Elias Smith Perry O. Osborn Edmund Thurber requesting to fence in & enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the prayers thereof be severally granted and that said petitions be & they are hereby authorized to fence in & enclose such lots for such purposes Provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor & provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto & shall Continue during the pleasure of the City Council & no longer.

Passed October 31 1842.

[*City Council Records No. 2, page 104.*]

[**December 5, 1842.**] City of Providence

Mayors Office Dec 5 1842

Gentlemen of the City Council

I Respectfully Recommend that you authorize a survey of the North burying Ground with a view to a division of a portion into Family burying lots of Convenient dimentions in order that the grants the Council may hereafter make may be so located & defined that there need be no encroachments.

From the careless manner in which lots have been located under the

grants of the Council it is extremely difficult to prevent encroachments & improper interments. Of 105 grants made since November 1838 the locations of only five have received the sanction of the Mayor In many cases no bounds whatever have been set up to shew the extent of the lot granted and the number of disputes that will arise unless some surveys & laying out of the ground is made will I fear be constantly increasing. I Respectfully Your Consideration of the matter.

Thos. M. Burgess Mayor.

Read whereupon it is Resolved that the same be referred to the standing Committee on City Property to examine & report thereon.

Passed Decembr 5th 1842.

[*City Council Records No. 2, page 105.*]

[**February 6, 1843.**] Upon the several petitions of Abby H. Fuller William H. Wicks George P. Daniels Francis Hall & Uriah Baker requesting leave to fence in & enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the prayers thereof be severally granted and that said petitioners be & they are hereby severally authorized to fence in enclose such lots for such purpose Provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and Provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto & shall continue during the pleasure of the City Council & no longer.

Passed Feb 6th 1843.

[*City Council Records No. 2, page 106.*]

[**March 27, 1843.**] Upon the petition of James S. Pidge Thomas Swan George W. Pidge Abner Gay Jun. Edward Martin & John Wilson severally requesting leave to fence in & enclose burying lots sufficient for their respective families in the North burial ground it is Resolved that the prayers thereof be severally granted and that said

petitioners be & they are hereby severally authorized to fence in & enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto & shall Continue during the pleasure of the City Council & no longer.

Passed March 27th 1843.

[*City Council Records No. 2, page 107.*]

[**May 8, 1843.**] Upon the Petition of John Wilson James Martin Joseph M. Hall William Haswell William D. Averry John M. Shambell Anthony Dexter Thomas Kent George B. Earle Edwin H. Brown Joseph H. Humphreys Benjamin D. Earle Albert G. Dexter George W. Brown Joseph W. Briggs Richard Smith for self and son Pitts Smith Thomas Greene Charles Lassell J. F. Crooker Severally requesting leave to fence in & enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved That the prayers thereof be granted and that said petitioners be & they are hereby authorized to fence in & enclose such lots for such purposes provided the same be done under the direction of the Overseer of the North burial ground with the sanction of the Mayor And Provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto & shall Continue during the pleasure of the City Council & no longer.

Passed May 8th 1843.

[*City Council Records No. 2, page 109.*]

[**June 12, 1843.**] Resolved That so much of the Address of the Mayor delivered to the City Council on the fifth day of June instant as relates to the North Burial Ground be & the same is hereby referred to the standing Committee on City Property to report thereon at the next meeting of the City Council

Passed June 12 1843.

[*City Council Records No. 2, page 123.*]

[**June 19, 1843.**] Upon the Petition of James Howarth Ephraim A. Burrows George Hail Horatio Rogers Mathew Watson Daniel B. Salsibury George Hawkins Hiram Hill Charles W. Henry John Cleworth Seth Howard William Allen William H. Harris John H. Greene William N. Landerkin Mary Rivers Hiram Smith Enoch T. Paul George W. Hall Joseph Brown Nathan Barden Edward S. Lyon requesting liberty to fence in & enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be granted and that said petitioners be and they are hereby severally authorized to fence in enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall Continue during the Pleasure of the City Council & no longer.

Passed June 19 1843.

[*City Council Records No. 2, page 126.*]

[**September 11, 1843.**] Upon the several petitions of Albert H. Ormsbee Michael Smith William Munroe Sarah Straight Alugina Angell Henry G. Coggeshall requesting liberty to fence in and enclose burying Lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be and the same are hereby granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same may be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of City Council and no longer.

Passed Sept. 11th 1843.

[*City Council Records No. 2, page 130.*]

[**January 8, 1844.**] Upon the Petitions of Samuel Guild George Wood Joseph R. Brown Napthali Newhall Samuel B. Bullock Ethan Whipple James M. Bostwick Joseph Drummond N. P. Bartlett and Rowland Evans Thomas L. Tuell Halsey H. Maine James A. Gowdey N. C. Northup Harris Reynolds Jesse Parks William B. Bowen Christopher Blanding severally requesting leave to fence in & enclose burying Lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be severally granted and that said petitioners be and they are hereby authorized to fence in and enclose such Lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer.—

Passed January 8 1844.

[*City Council Records No. 2, page 143.*]

[**March 11, 1844.**] Upon the several Petitions of George W. Steinhauer George Tripp Edwin Tripp William B. Bradford & Daniel C. Easton severally requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be granted and that said petitioners be and they are hereby authorized to fence in & enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer.

Passed March 11 1844.

[*City Council Records No. 2, page 147.*]

[**April 8, 1844.**] Upon the several petitions of N. C. Northup Ethan Whipple F. F. Foster Lydia Owen Smith Owen Silas G. Tripp William C. Helme Jane Kelly George Owen Ezekiel Owen & Henry Whiting requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground It is Resolved that the prayers thereof be granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same shall be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer

Passed April 8 1844.

[*City Council Records No. 2, page 152.*]

[**April 8, 1844.**] Upon the Petition of Henry Holden, in behalf of a Committee appointed by authority of the General Assembly, to remove the remains of the late Gov'r Nicholas Cooke and his family, from the old family burial Ground near Transit Street, it is

Resolved, that said Holden and his associates be, and they are hereby authorized to fence in and enclose a burying lot in the North Burial Ground for a place of deposit for the remains now in said family burial Ground; and to deposit the same therein; provided the same shall be done under the direction of the Overseer of the North Burial Ground, with the sanction of the Mayor; and provided that the privilege hereby granted shall be subject to all further regulations of the City Council, relative thereto; and shall continue during the Pleasure of the City Council and no longer.

Passed April 8, 1844.

[*City Council Records No. 2, page 155.*]

[**May 13, 1844.**] Upon the several Petitions of Gardner Pettis Robert Pettis Thomas R. Tripp Major Tripp Benjamin Cornell Laban T. Rogers Arnold R. Pond & Hiram Chappell severally requesting leave to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground—it is Resolved That the prayers thereof be and the same are hereby granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council & no longer.

Passed May 13, 1844.

[*City Council Records No. 2, page 160.*]

[**June 17, 1844.**] Upon the several Petitions of John Thurston Walcott M. Scott Charles A. Smith Edward P. Manning Royal A. Webster Thomas J. Peckham Geo. W. Buffington James Fenner Edward J. Mallett William Robinson William J. Cobb Susan Angell Abby L. Newel Chas H. Waterhouse requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is Resolved that the prayers thereof be granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer.

Passed June 17 1844.

[*City Council Records No. 2, page 177.*]

[**July 8, 1844.**] Upon the several Petitions of Daniel Fish Thomas Steward Mary Morrison Alexander Burgess John Tyler and William Amos Greene requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burying Ground it is resolved that the prayers thereof be granted and that said petitioners be and they are hereby authorized to fence in and enclose such lots for such purpose provided the same be done under the Direction of the Overseer of the North Burial Ground with the Sanction of the Mayor and provided that the several privileges hereby granted shall be subject to the future regulations of the City Council relative thereto and shall continue during the pleasure of the City Council and no longer.

Passed July 8, 1844.

[*City Council Records No. 2, page 186.*]

[**August 12, 1844.**] Upon the petition of Edward S. Sheldon it is Resolved that the said Sheldon be and he is hereby authorized to fence in and enclose a burying lot in the North Burial Ground for a place of Deposit for the remains now in the Old burial Ground of the Sheldon family near Transit Street (which remains are to be removed from said Old Burial Ground by Authority of an Act passed by the General Assembly) and to deposit the same therein: provided the same shall be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the privilege hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer.

Passed August 12, 1844.

[*City Council Records No. 2, page 188.*]

[**August 12, 1844.**] Upon the several petitions of Isaac Fish Lyman Ware and Benjamin Newton requesting liberty to fence in and enclose Burying lots sufficient for their respective families in the North

Burial Ground it is Resolved that the prayers thereof be granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council relative thereto and shall continue during the pleasure of the City Council and no longer.

Passed August 12, 1844.

[*City Council Records No. 2, page 189.*]

[**August 13, 1844.**] Upon the petition of Zachariah Allen & others relative to the North Burial Ground it is resolved that the same be received and referred to Messrs Knowles, Patten, Peck and Stimson of the City Council together with Messrs Zachariah Allen and Isaac Brown to examine and report thereon.

Passed August 13 1844.

[*City Council Records No. 2, page 190.*]

[**September 9, 1844.**] Upon the several petitions of Samuel C. Eathforth John Gorham William G. Angell Sarah Pratt and Albert Holbrook requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is resolved that the prayers thereof be granted and that the said petitioners be and they hereby are severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council relative thereto and shall continue during the pleasure of the City Council and no longer.

Passed September 9 1844.

[*City Council Records No. 2, page 192.*]

[**April 21, 1845.**] Ordinances of the City of Providence An Ordinance prescribing the time when certain ordinances shall take effect and the manner of publishing the same.

Whereas the Committee appointed to revise the ordinances of the city have reported certain bills of which those hereinafter mentioned by their titles have been carefully examined and considered by this city council therefore,

It is ordained by the City Council of the City of Providence as follows:

Section 1. The several ordinances, the titles of which are hereinafter mentioned are hereby declared to be the ordinances of this city, and all such parts of them as are amendments or alterations of any previous ordinances shall go into operation and effect from and after the thirty first day of May next, viz:—

An Ordinance designating the officers to be appointed annually by the city council in addition to those specially designated and required to be appointed by the City Charter.

An Ordinance in relation to the north burial ground

An Ordinance in relation to the interment of the dead.

Section 2. All ordinances heretofore passed by the town or town council of the town of Providence, or by the City council of the city of Providence, which are repugnant to the provisions of the above named ordinances shall be and they are hereby declared to be repealed from and after the thirty first day of May next.

An Ordinance designating the officers to be appointed annually by the city council in addition to those specially designated and required to be appointed by the city charter.

Section 1. * * * *

Section 2. That the following officers in addition to those required as designated in the preceeding section be appointed by the City Council annually until otherwise ordained, to wit * *; overseer of the north burial ground; * *

Passed Apr. 21st, 1845.

An Ordinance in relation to the interment of the dead.

It is ordained by the city council of the City of Providence as follows:

Section 1. There shall be appointed by the City Council a sufficient number of persons to act as undertakers removable at the pleasure of the City Council.

Section 2. Whenever any person shall die in this city it shall be the duty of the physician attending in his or her last sickness, to leave within forty eight hours after the death, at the last residence of such deceased person, a certificate stating the disease or accident which caused his or her death, which certificate shall be delivered to the undertaker, who may conduct the funeral of such deceased.

Section 3. No undertaker or other person shall bury the body of any person dying in this city, without first enquiring for the certificate of the physician as aforesaid; And if no such certificate can be procured the undertaker or person directing the funeral shall within three days after such funeral, report the want of the certificate to the city clerk; and the undertakers shall with their monthly returns, deliver the physicians certificate to the city clerk.

Section 4. Every physician omitting or neglecting to leave such certificate as aforesaid shall forfeit and pay the sum of five dollars for each offence, to be recovered for the use of the city by proper legal process before any court of competent jurisdiction.

Section 5. Every undertaker shall make return to the clerk of the board of health between the hours of nine o'clock A. M. and two o'clock

P. M. of the first Wednesday of each month, of all interments made and funerals conducted by him during the previous month in form as follows to wit;

An accurate list of all interments made by me between the first day of 18 and the last day of the same month inclusive

NAME.	SEX.	MARRIED OR SINGLE	WIDOW OR WIDOWER	AGE	COLOR	RESIDENT OR NON RESIDENT	STREET.	DISEASE	DATE OF DEATH	REMARKS.
										UNDERTAKER.

Section 6. All funerals shall take place between sunrise and sunset unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Section 7. The clerk of the board of health shall prepare an abstract of all the returns made to him, and report the same to the board of health, on the Monday next succeeding the first Wednesday of each month. The board of health shall cause a monthly abstract of all such returns to be published in all the newspapers which contract to do the city printing and shall also prepare and publish in all the said newspapers in the second week in January in each year an abstract of all the returns made to them to the close of the preceding year.

Section 8. Every undertaker who shall violate any of the provisions of the preceding section of this ordinance shall forfeit and pay the sum of ten dollars for each offence, to and for the use of the city to be recovered by proper legal process, before any court of competent jurisdiction.

Section 9. Any person other than such an undertaker who shall manage and conduct a funeral or inter or remove from the city a dead body, shall first obtain permission in writing from the board of health or in their recess from the clerk or one of the members of said board, to do the same; and after said interment or removal is made, shall make return as is directed to be made by undertakers in the fifth section of this ordinance and for every neglect or refusal to obtain such permission, or to make such return, shall forfeit and pay the sum of ten dollars to and for the use of the city to be recovered by proper legal process before the proper court to try the same.

Section 10. All permissions given pursuant to the provisions of the ninth section of this ordinance shall be free of charge.

Section 11. All returns made by an undertaker or other person shall be recorded by the clerk of the board of health in a book to be kept expressly for that purpose.

Section 12. No undertaker or other person shall hereafter bury or cause to be buried the body of any deceased person except in such grounds as are now known and used as burying grounds or such as shall hereafter be by the city council designated as burying grounds and authorized to be used as such; and every person so offending shall forfeit and pay for every offence the sum of forty dollars, to and for the use of the city to be sued for and recovered in an action of debt in the name of the city treasurer before any court of competent jurisdiction.

Passed April 21 1845.

An Ordinance in relation to the North Burial Ground.

Section 1. Be it ordained by the city council of the city of Providence that no person shall erect or build any vault within the limits of the city burial ground, nor enclose any part or portion thereof without leave first had and obtained from the city council.

Section 2. That any person who shall violate any provision of this

ordinance shall forfeit and pay a sum not less than ten dollars nor more than fifty dollars, to and for the use of the city to be recovered by proper legal process before any court of competent jurisdiction.

Section 3. That the overseer of said burial ground shall keep the fences around the same in proper repair and the gates thereof locked; and he shall report to the mayor every violation of this ordinance as soon as may be that the same may be prosecuted.

Passed April 21, 1845.

[*Ordinance Book No. 1, between pages 1 & 33, in office of City Clerk.*]

[**May 15, 1845.**] Upon the several Petitions of Avery Pettis John Hamilton James Clingan Phillis Church Thomas Phillips George S. Peckham Luther Horton Eliphalet Horton Paris Winsor Jr. Sarah A. Grey Gamaliel L. Dwight Hezekiah Sabin Jr. John Galloway Levi Day Joseph A. Capwell Elisha Emerson Stephen R. Weeden William Mansir Lyman G. Grant Daniel Russell Hugh H. Brown & Hosea Ballou Jr. requesting liberty to fence in and enclose burying lots sufficient for their respective families in the North Burial Ground it is resolved that the prayers thereof be severally granted and that said petitioners be and they are hereby severally authorized to fence in and enclose such lots for such purpose provided the same be done under the direction of the Overseer of the North Burial Ground with the sanction of the Mayor and provided that the several privileges hereby granted shall be subject to all future regulations of the City Council in relation thereto and shall continue during the pleasure of the City Council and no longer.

Passed May 15 1845.

[*City Council Records No. 2, page 217.*]

[**August 11, 1845.**] The Committee appointed by the City Council on the 12th of August 1844 upon the petition of Zachariah Allen and 256 other Citizens of Providence to devise and report some

plan for improving the North Burial Ground belonging to this City and for ensuring the preservation of the Monuments erected thereon.

Make Report giving a detailed history of the proceedings of the Town in regard to said Ground from the tenth day of June A. D. 1700 (on which day a Town Meeting was held and proceedings were had which vested in the Town the Title to the land and appropriated the same to the use of a Common burying ground) up to April 21 1831 and also the proceedings of the City since its incorporation up to the date of the Report.

Read Whereupon it is resolved that the same be received.

Passed August 11 1845.

[*City Council Records No. 2, page 245.*]

[**August 11, 1845.**] Resolutions Reported by the Committee on the Petition of Zachariah Allen and others relative to the North Burial Ground.

1. Resolved that Messrs Patten, Stimson, Peck and Alderman Knowles be and they are hereby appointed a Committee to lay out in and around the North Burying Ground proper lanes and avenues for passing in and through the same not to be filled up, or encroached upon, marking the same as far as can be, by permanent monuments

2d Resolved That the same Committee lay out said Burying Ground into suitable lots, and ranges of lots for burying the dead that after setting off a sufficient quantity of land for free use, they appraise the lots and all grants of lots not now taken up and enclosed, or hereafter taken up, shall be from the appraised lots and at the valuation set thereupon—upon the payment of which to the City Treasurer and the production to him of the certificate of the Superintendent or overseer of the Burying Ground, that he is entitled thereto the party entitled thereto shall receive a fee simple Deed executed by the City Treasurer conditioned to use said lot only for purposes of a Burying Lot under such gen-

eral regulations as shall from time to time be adopted not affecting the title thereto.

That said Committee also appraise the lots already enclosed, taken up or appropriated, whether under grants of the City Council or not; and upon the payment of the valuation put thereon and the production of a Certificate as aforesaid the holders shall receive a fee simple deed as aforesaid.

3d Resolved That the same committee cause a suitable fence to be erected around the North Burying Ground and that the City Treasurer pay the expense thereof upon the order of the Committee, out of any money in the Treasury not otherwise appropriated not exceeding the sum of Twenty five Hundred Dollars That said Committee be empowered by agreement and contract with the owners of land adjoining the North Burying Ground, to fix and establish the bounds of said Burying Ground and to make such exchanges of land in regard to the same as said Committee shall deem expedient and advantageous for the Burying Ground and that they cause the bounds to be marked by durable monuments and evidences.

4th Resolved That the same Committee prepare and report to the City Council a draft of regulations for the North Burying Ground proper to be adopted and passed into an Ordinance of the City.

5th Resolved that the Committee on City Property cause the strip of land on the Easterly side of Sexton Street authorized to be sold by vote of the General Assembly in October 1795 to be graded and divided into suitable house lots and to be sold at public auction or otherwise in their discretion.

6th Resolved that the City Treasurer keep a special account of Receipts and expenditures on account of the North Burying Ground Crediting also to said account all monies received on account of Sales of land Easterly of Sexton Street.

7th Resolved that the City Clerk keep a Special Record Book of

Deeds of North Burying Ground lots, the fees for recording to be paid by the Grantees.

Passed August 11, 1845.

[*City Council Records No. 2, page 246.*]

[**October 11, 1845.**] City of Providence to John Carter Brown—$500—Warranty. A certain parcel of land lying near the North Burying Ground in said City of Providence and bounded northwardly by the dividing line between said City & the Town of North Providence, eastwardly by the Pawtucket Turnpike Road and North Main Street, southwardly by land belonging to John & Richard Gannon, and westwardly by a continuation of Sexton street as laid down on a plat of said land & street made by S. B. Cushing on the 9th of September 1845 and recorded in the City Clerks office. Provided however that the grantee shall at all times keep open for the purpose of a public highway a strip of land fifty feet in width laid down on said plat as a Street from said North Main Street to Sexton Street (continued) opposite to the junction of Harrington Lane with said North Main Street. [*Deed Book No. 99, page 73.*]

[**October 13, 1845.**] Report. To the Hon. City Council The Standing Committee of City Property who were by a Resolution passed by the City Council on the 11th of August last directed to cause the strip of land on the Easterly side of Sexton Street to be sold hereby make Report that they have sold the same to John Carter Brown of Providence at private sale for two thousand five hundred dollars for Cash on the delivery of the deed.

N. F. Potter for the Committee.

October 13 1845.

Read whereupon it is Resolved that the same be received.

Passed October 13, 1845.

[*City Council Records No. 2, page 258.*]

[**November 10, 1845.**] An Ordinance in addition to "An Ordinance in relation to the North Burying Ground"

Section 1. Be it ordained by the City Council of the City of Providence That no grave shall be dug nor any body be buried in or upon any Avenue, path or passage way in the North Burying Ground and any body so buried shall be removed by the Superintendent or by the Committee of said Burying Ground at the expense of the person or persons burying or procuring the same to be buried.

Section 2. That no grave shall be dug nor any body be buried within the North Burying Ground excepting in and upon Lots of Proprietors unless the place of such grave or burial be located under the direction of said Superintendent or of said Committee.

Section 3. That every person who shall violate any provision of this Ordinance, shall forfeit and pay a sum not less than ten dollars nor more than fifty dollars to and for the use of the City to be recovered by proper legal process before any Court of Competent jurisdiction.

Section 4. That the Superintendent of said North Burying Ground shall act in Conformity with the directions of the Committee of said Burying Ground in all matters under this Ordinance until general regulations for said Burying Ground shall be adopted by the City Council.

Section 5. The said Superintendent shall be authorized to require and receive twenty five cents for each certificate which he shall give in conformity with any Ordinance or Regulation concerning said Burying Ground.

Passed November 10, 1845.

[*City Council Records No. 2, page 262.*]

[**December 8, 1845.**] To the Hon. the City Council of the City of Providence.

The Committee appointed by the City Council under the Resolutions of August 11, 1845 to perform certain duties in relation to the

North Burying Ground being still engaged in the performance of those duties have yet made such progress therein as they now Respectfully Report.

As authorized by the 1st of said Resolutions They have laid out in the North Burying Ground lanes and avenues for the Convenient use of the Ground some of which should be graded levelled and prepared for use at an early period in the spring others may remain without injury to the Burying Ground until a sufficient number of the lots shall be taken up to make it expedient to continue the improvements. Those within the present enclosure (which includes only the part in present and constant use) will be completed without unnecessary delay. As directed by the 2d of said Resolutions they have laid out (thus far however only in the present enclosed and used part) in said Burying Ground and numbered suitable lots and ranges of lots for burying the Dead. They have set off a sufficient quantity of land for free use all which is plainly exhibited upon a plat and also by stakes in the Ground.

They have also placed a valuation upon the lots which are of various dimensions and shape in consequence of the inequalities in the surface of the ground; the general size of the lots is 16 feet by 20 or 320 square feet. The Council will remember that the declared object of the valuation upon the lots was not to raise a revenue for general purposes but only to secure from the Ground itself sufficient means to defray the expense of maintaining it in proper condition the whole receipts therefrom to be applied for that purpose and a separate account thereof to be kept by the City Treasurer

Having this object in view the Committee placed but a light valuation upon the lots dividing them into only two classes; upon one of which they assessed three and one half cents the square foot making the cost of such a lot between eleven and twelve dollars, upon the other class two cents the square foot making the cost of such a lot between six and seven dollars When it is considered that this price of a lot is to be

applied to the protection and improvement of the Burying Ground and that the purchaser instead of receiving the conditional grant only "during the pleasure of the City Council and no longer" which is the only tenure by which lots are now held will upon such payment receive an absolute deed subject to no disturbance in his possession, the Community can not but approve a plan which addresses itself so palpably to their interests and sentiment. Certainly no objection to it need be apprehended from any one worthy of respectable burial.

All that part of the present enclosure between the Central Avenue and Sexton Street including all the Tombs, and all lots now regularly located therein and designated by enclosure or bounds whether located by ancient usage or by City ordinance together with a portion of lots laid off West and South of said Central Avenue in the Southerly part of the enclosure and south of a cross avenue marked on the plat is contained in the tract where the lots are valued at the lowest rate of valuation, Not because those locations are less esteemed but because the immethodical manner in which it has been used and its crowded state leave but little opportunity for Selection or satisfactory arrangement.

The tract North of said Cross Avenue and West of Central Avenue received the higher valuation because less used and more open for selection and improvement; some lots on this tract may require a deduction

The Committee anticipate however that as lots are taken up and improved the value will be enhanced both of those appropriated and of those remaining and as improvements suggest improvements and make them almost indispensable, that the means for any desired improvement may readily be raised from the premises and as the location and nature of the ground favor it it will in a few years become a cemetery creditable to the City

As directed by the 3d of said Resolutions the Committee for fencing the Burying Ground have contracted for Stone Posts and have accepted a proposal to furnish Chestnut stuff for the wood work and

are confering with the adjoining owners as to the lines about which they have as yet seen no cause to apprehend any insurmountable difficulty

The Committee do not propose to present a Draft of Regulations as directed in the 4th Resolution, until further progress has been made in introducing order and system in the use of the Ground ; to enable them to effect this they must as they have heretofore done apply to the Council to aid them with occasional enactments of which those found necessary will eventually be embodied in the permanent regulations while others of a temporary nature will be discontinued

They herewith present a Draft of an Ordinance in alteration of and in addition to the "Ordinance in relation to the North Burial Ground" and request it may be passed.

The object of the Ordinance which the Committee propose is — First to transfer the subject of granting rights to use and enclose lots from the City Council to the Committee on the Burying Ground.

Second to prevent buying up lots to sell out again upon speculation.

Third to prevent abuses within and around the ground. All which is Respectfully submitted.

Wm. S. Patten.

December 8th, 1845, for the Committee.

An Ordinance in Alteration of and in addition to "An Ordinance in relation to the North Burial Ground"

Section 1. Be it ordained by the City Council of the City of Providence that no person shall erect or build any Vault or Tomb within the limits of the North Burying Ground nor enclose any portion thereof without leave first had and obtained from the Committee on said Burying Ground appointed by the City Council, which leave shall be first certified by said Committee to the Overseer or Superintendent of said Ground.

Section 2. That no person shall take up hold or own any lot in said Burying Ground except for the purpose of using the same in good faith for a burying lot and not to sell the same for the purpose of speculation or profit ; nor shall any transfer thereof be made without leave first had and obtained from the City Council.

Section 3. That no person shall remove any stake, post, bound or fence placed around, within or upon said Ground under the direction or permission of said Committee or of the Overseer or Superintendent nor mutilate deface or injure the same or any monument, tree, shrub or other thing intended for protection improvement or ornament placed therein nor commit any trespass or injury within or upon said ground or any part thereof.

Section 4. That any person who shall violate any provision of this Ordinance shall forfeit and pay a sum not less than five nor more than One Hundred Dollars to and for the use of the City to be recovered by proper legal process before any Court of Competent Jurisdiction

Section 5. That so much of said Ordinance of which this Ordinance is in alteration and addition as is inconsistent herewith be and the same is hereby repealed.

Passed December 8 1845.

[*City Council Records No. 2, pages 266-7-8.*]

[**June 1, 1846.**] Resolved That the sum of Five Hundred dollars be appropriated to pay expenses in laying out and making lanes and avenues in the North Burying Ground and that the City Treasurer pay the same upon the order or orders of the Committee on said Burying Ground out of any money in the Treasury not otherwise appropriated.

Passed June 1, 1846.

[*City Council Records No. 2, page 310.*]

[**June 1, 1846.**] Resolved that Messrs Patten, Stimson, Daniels and Alderman Knowles be and they are hereby appointed a Committee

upon the North Burying Ground with full power under and to continue and to carry into effect the provisions of any ordinance or Resolutions existing in relation to said Burying Ground.

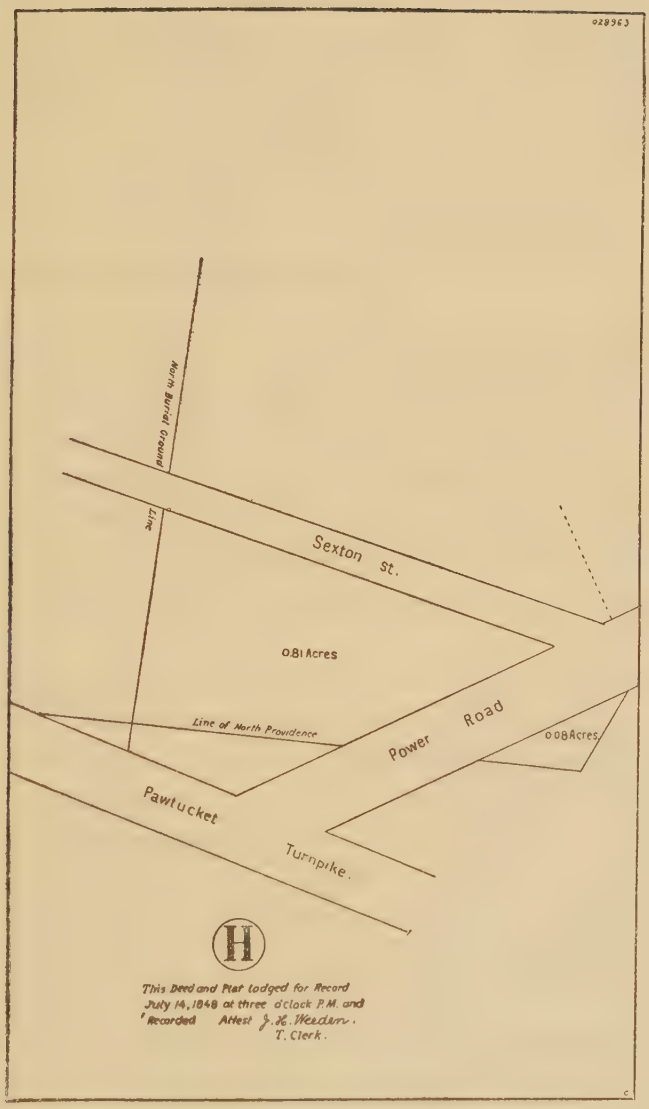
Passed June 1, 1846.

[*City Council Records No. 2, page 310.*]

[**December 4, 1846.**] John Carter Brown to Wm. Randall—$100. Warranty. Know all men by these presents, That I John Carter Brown of Providence in the State of Rhode Island in consideration of One Hundred Dollars to me in hand already paid by Z. Allen in behalf of the Subscribers to the Fund for improving the North Burial Ground have given, granted, bargained, sold and hereby give, grant, bargain, sell, convey and confirm unto William Randall of North Providence in the State aforesaid his heirs and assigns forever,

A certain tract or parcel of land situate on the Westerly side of the Pawtucket Turnpike and constituting the Northerly part of the parcel of land purchased by me of the City of Providence by Deed dated October Eleventh A. D. 1845. Said tract is Bounded Southerly on other land of the Grantor by the continuation of the straight line recently agreed upon by said Randall and the Committee of the City of Providence as the boundary line (extending from the Smithfield Turnpike) of the North Burial Ground Easterly by the Pawtucket Turnpike and Power Road, Northerly and Westerly by said Power Road & Sexton street to the Range of the North Burial Ground Boundary line aforesaid. Also a small piece of Land on the North side of Power Road containing 8/100 part of an acre, which tracts are particularly designated and lain out by a Plat[1] thereof hereto annexed containing in the whole Eighty Nine Hundredths of an acre. [*Deed Book No. 13, page 214, City of Pawtucket.*]

[1] Plat H.



Plat H opposite page 116.

[**December 14, 1846.**] Resolved that the City Treasurer be and he is hereby authorized and directed to make execute & deliver in behalf of the City such deeds and other legal instruments as are necessary or proper to carry into effect any agreements or Contracts with owners of land adjoining the North Burying Ground made by said Committee in making exchanges of land, in fixing and establishing the bounds of said North Burying Ground in Conformity with the resolutions of the City Council passed August 11 1845

Passed December 14 1846.

[*City Council Records No. 2, page 341.*]

[**December 23, 1846.**] City of Providence and Wm. Randall — Indenture. This indenture of two parts made and executed by and between William Randall of North Providence in the State of Rhode Island of the one part and the City of Providence of the other part, for the purpose of straightening the boundary lines that divide the land improved by the party of the first part for agricultural purposes from the land improved by the part of the second part for the purpose of a public cemetery.

Witnesseth That the following described line shall hereafter be and constitute the dividing boundary between the parties to this indenture their heirs and assigns forever viz : Commencing at a stone post set in the ground on the westerly side of Sexton street forming the corner of the fence recently erected by the said City of Providence to enclose said Public Cemetery, thence running North 65°-37′ West seventeen chains seventy five links to a stone set in the ground ; thence south 18° West about six chains 77 links to a stone set in the ground at the corner of the fence as it now stands on the division line between the parties.

And I the said William Randall for and in consideration of the premises and of the conveyance hereinafter made to me by the said City of Providence do hereby remise release and forever quit claim to the

said City of Providence and to their assigns forever all my right title and interest in and to all the land that doth lie on the south side of the boundary line first described, and on the easterly side of the boundary line last described, containing two acres and seven hundredth parts as by the plat[1] of said premises drawn by H. F. Walling and dated Decr 2d 1846 will more fully appear.

And the said City of Providence in consideration of the premises and of the aforesaid conveyance made by the party of the first part hereby remise release and forever quitclaim to the said William Randall his heirs and assigns forever, all the right title and interest in and to all that portion of the land heretofore claimed by said City of Providence as part and parcel of the North Burial Ground which lieth to the north of the first described line, extending from the west side of Sexton street, North 65°-37 West, seventeen chains, seventy five links to a stone set in the ground; containing Ten acres and seven hundredth parts of an acre, as by reference to said H. F. Walling's plat thereof will more fully appear.

In testimony whereof the parties aforesaid have hereunto interchangeably set their hands & seals this Twenty third day of December A. D. 1846

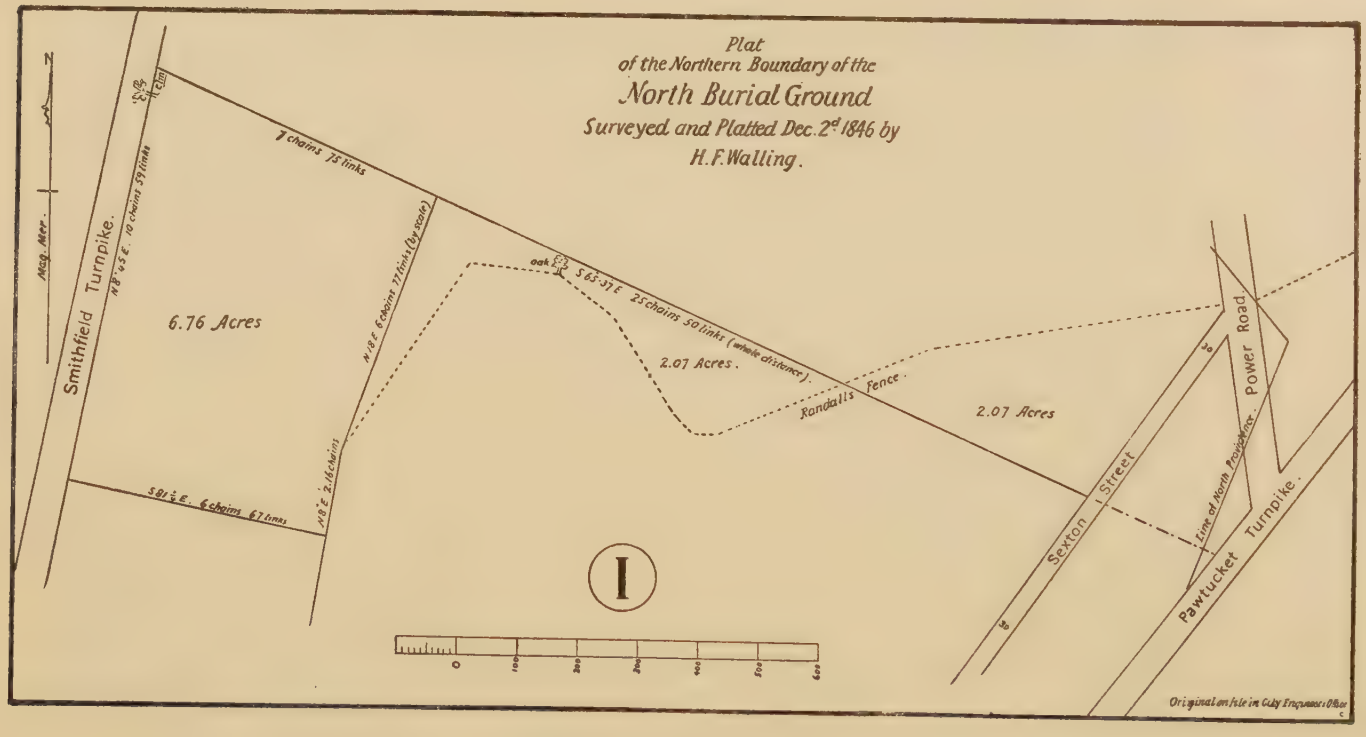
In presence of
Wm. S. Patten
L. Allen

William Randall
Stephen Tripp
City Treasurer.

[*Deed Book No. 102, page 235.*]

[**December 23, 1846.**] Wm. Randall to City of Providence—$587.—Warranty. A certain tract or parcel of land situated in North Prov. in the State aforesaid & adjacent to the North Burial Ground bounding westerly on the Smithfield Turnpike whereon it measures ten chains, fifty nine Links from the line of fence forming the north bound-

[1] Plat I.



Plat I opposite page 118.

ary of Samuel Wheldens land to a Stone Set in the Ground in a course N 8°-45′ E therefrom thence South 65°-37′ E Seven Chains Seventy five Links to a Stone Set in the Ground which forms the newly established boundary Stone between my land and the North Burial Ground thence S 18° W about Six Chains seventy seven Links to a Stone set in the Ground at the corner of the fence on the old boundary line of the North Burial Ground, thence S 8° West two Chains sixteen Links along said boundary line to the corner of the fence on Samuel Wheldens land, thence N 81 1/4° W. Six Chains Sixty seven links along the fence of said Wheldens land to the first mentioned bound. Containing Six Acres & Seventy six hundredths parts as by reference to a plat[1] of the premises drawn by H. F. Walling & dated Dec. 2nd 1846 will more fully appear under the following express restrictions & conditions. That whereas the amount paid to me as purchase money for the above described premises was furnished by certain Citizens of Providence by voluntary Contribution for the purpose of enlarging the limits of the said North Burial Ground and of causing the same to be appropriated solely & exclusively for use as a public Cemetery forever, this deed of conveyance is made as a special Trust to said City for this purpose only & to be applied to no other use by those to whom said City may sell private Burial Lots in fee simple under suitable restrictions for the regulations of a public Cemetery. And I the said William in consideration aforesaid do hereby give, grant, & convey to the said City of Providence & their assigns forever the right to lay pipes to convey water through my land, adjoining the easterly Bank of the Blackstone Canal in the most convenient direct line between the Canal Lock & the premises hereby conveyed to transmit the River Water thereto on the condition that said Pipes shall be laid below the reach of the Plough. [*Deed Book No. 103, page 243.*]

[1] Plat I.

[**April 12, 1847.**] Resolved That the sum of Five Hundred Dollars be and the same is hereby appropriated for grading and improving the North Burying Ground, out of any money in the City Treasury not otherwise appropriated and that the Treasurer pay the same upon the order of the Committee on the North Burying Ground.

Passed April 12, 1847.

[*City Council Records No. 2, page 362.*]

[**June 7, 1847.**] Resolved That Messrs Stimson Patten Daniels & Earle of the Common Council and Alderman Knowles be and they are hereby appointed a Committee upon the North Burial Ground with full power under and to continue and carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground.

Passed June 7 1847.

[*City Council Records No. 2, page 375.*]

[**August 9, 1847.**] To the City Council

The Committee on the North Burying Ground respectfully Represent,

That Samuel Whelden is the owner of a Tract of land adjoining the North Burying Ground and bounded thereby on all its sides except the Westerly side which is bounded by the Smithfield Turnpike.

This tract of land Consists of about Six acres on which are three dwelling houses & two barns, that said Whelden has caused the tract to be patted into house lots, according to a plat herewith exhibited for the purpose of disposing of the whole property and offers it to the Committee for Six thousand dollars

The Committee Consider the offer an advantageous one for the City, believing that thereby the City will be able to benefit and increase the burying ground by the addition of a part of said tract and will straighten the lines of the Ground diminish the quantity of fencing will place a Street in front of its Westerly line and will by an exchange of land with

the Burying Ground, possess and retain land enough with the buildings thereon to return if sold by the City all and probably more than the amount paid for the whole tract.

The Committee therefore recommend that the City Council authorize the purchase of said Tract and appropriate the sum of Six thousand dollars for that purpose and submit the accompanying resolutions in conformity with their recommendation

Wm S. Patten.

Providence August 9 1847.

Read Whereupon it is resolved that the same be received.

Passed August 9 1847.

Resolutions for the purchase and appropriation of Land of Samuel Whelden adjoining the North Burying Ground

Section 1. Resolved, that the Committee on the North Burying Ground be and they are hereby empowered to purchase for the City a tract of land belonging to Samuel Whelden containing about six acres, with the buildings thereon adjoining the North Burying Ground three sides thereof being bounded thereby and the Westerly side bounded by the Smithfield Turnpike and that the sum of Six thousand Dollars be appropriated out of the City Treasury for the payment therefor, to be paid by the Treasurer on the order of said Committee.

Sec. 2. That said Committee cause an avenue or road to be made on the Northerly side of said tract forty feet wide running Easterly from said Smithfield Turnpike about Two Hundred feet then turning preserving at least the same width and running Southerly across said tract and to the said Smithfield Turnpike, so as to leave two hundred feet in width of said tract on the Westerly side of said avenue; that the remainder of said tract on the Easterly side of said Avenue be and the same is hereby appropriated for ever to the North Burying Ground as part and parcel thereof to be fenced into the same. The tract of land

now belonging to the Burying Ground on the South westerly side of said avenue, to belong to the City in exchange for the part of said Whelden Tract, hereby appropriated to said Burying Ground — said Avenues separating the Burying Ground from the said tracts of land to be forever kept open of a width of not less than forty feet and without being built or encroached upon.

Section 3. That the City Treasurer be and he is hereby directed to dispose of any portion of said property under the advice and direction of the North Burying Ground Committee as they shall deem advisable.

Passed August 9 1847.

[*City Council Records No. 2, pages 388-9.*]

[**August 21, 1847.**] City of Providence to James Caffrey—$825 —Warranty. A certain lot of land situate in North Providence. Beginning at the Southwesterly corner of a lot on the East side of the Smithfield Turnpike Road and Runs Northerly Bounding Westerly on said Road Seventy four feet to land recently belonging to William Randall thence Easterly bounding Northerly on said Randall Land one hundred and one feet to lot No 9 on a plat of house Lots on Smithfield Turnpike belonging to Samuel Whelden Surveyed and Platted June 8 1847 by Atwater & Schubath thence Southerly bounding Easterly on Lots No 9 & 10 Seventy three $\frac{28}{100}$ feet to Lot No. 7 thence Westerly and Bounding Southerly on Lot No 7 one Hundred and one $\frac{23}{100}$ feet in a line across the middle of a well on said Lot and is No 8 (Eight) on said Plat. [*Deed Book, No. 14, page 153, Pawtucket.*]

[**August 24, 1847.**] Samuel Whelden to City of Providence— $4990—Warranty. A certain piece or tract of Land situated partly in said City & partly in the Town of North Providence in said County with two Dwelling houses, and a Barn thereon standing & is bounded & described as follows viz. beginning at the Southwesterly corner of

Lot No 1 (one) on a "plat of House Lots on Smithfield Turnpike belonging to Samuel Whelden, surveyed & platted June 8th 1847 by Atwater & Schubarth" from thence northerly bounding westerly on said Turnpike One Hundred & Eighty Three feet to Lot No 3 thence Easterly bounding Southerly on Lot No 2 one hundred & five 70/100 Feet to Lot No 15, thence Northerly bounding Easterly on Lot No 15 sixty feet to Lot No 4; thence westerly bounding Northerly on Lot No 4 one hundred & four 95/100 feet to said Turnpike; thence northerly bounding westerly on said Turnpike Three hundred & fourteen feet to Land recently owned by Wm Randall; thence Easterly bounding Northerly on said Randalls Land Four Hundred & thirty two feet & nine inches to the North Burial Ground; thence Southerly bounding Easterly on said Burial Ground six hunded & one feet & four inches; thence Westerly bounding Southerly on said Burial Ground Ninety nine feet & six inches to Lot No 18, thence Northerly bounding Westerly on Lot No 18, one Hundred feet to Lot No. 19 thence westerly bounding Southerly on Lot No. 19 one hundred & 57/100 feet to Whelden Street; thence Southerly bounding Westerly on Whelden Street one hundred feet; thence westerly bounding southerly on said Burial Ground Two hundred & Thirty Eight feet and Three inches to the first mentioned bound. [*Deed Book No. 107, page 203.*]

[**September 1, 1847.**] James Caffrey to City of Providence—$825—Warranty A lot of land with a Dwelling House & other Improvements thereon situate in the Northerly part of said City, a few Rods East of the Smithfield Turnpike Road, & is bounded & described as follows viz: beginning at the Southwesterly corner of the Lot & runs Northerly one hundred feet, bounding westerly on a Street Thirty Feet wide (called East Street) & holding the width of one hundred Feet runs Easterly, one hundred feet & is bounded on the South, East & North by said City's Land. [*Deed Book No. 107, page 205.*]

[**September 13, 1847.**] Resolutions for the purchase and appropriation of Land to enlarge the North Burying Ground and for other purposes

Resolved that the Committee on the North Burying Ground are hereby empowered to purchase for the City if they deem it expedient one or both of the lots of land with the buildings thereon adjoining North westerly the tract of land recently purchased by the City of Samuel Whelden and which adjoins the North Burying Ground And the sum of One thousand two hundred dollars is hereby appropriated for that purpose payable upon the order of said Committee out of any money in the City Treasury not otherwise appropriated.

Resolved That the whole of the Tract of land recently purchased by the City of Samuel Whelden together with such additional land as may be purchased by said Committee by authority of these Resolutions is hereby appropriated and added to the North Burying Ground Estate as part thereof and subject to sale for Burying lots

Resolved That said Committee are hereby empowered to sell to be removed from the lots or to lease together with the lots or any part of the lots on which they stand all the buildings or any part of the Estate which now doth, or by authority of these Resolutions shall belong to said Burying Ground.

Resolved That so much of the Resolutions passed by the City Council on the Ninth of August last, for the purchase of land of Saml. Whelden adjoining the North Burying Ground as directs the City Treasurer to dispose of any portion of said Estate otherwise than for Burying lots under the advise and directon of said Committee and so much of said Resolutions as are inconsistent with these Resolutions or any part thereof are hereby repealed

Passed September 13, 1847.

[*City Council Records No. 2, page 395.*]

[**September 17, 1847.**] Resolved that the sum of Five Hundred dollars be and the same is hereby appropriated for grading and improving the North Burying Ground payable on the order of the committee on said ground out of any money in the City Treasury not otherwise appropriated.

Passed September 17 1847.

[*City Council Records No. 2, page 396.*]

[**October Session, 1847.**] Resolved That Messrs. Christopher E. Robbins, William H. S. Bailey and Caleb Congdon, be a Committee of this General Assembly to ascertain the lines of the Providence and Pawtucket turnpike road and to mark out the same by proper bounds and monuments. [*Acts of General Assembly, October Session, 1847, page 48.*]

[**October 2, 1847.**] James Caffrey to City of Providence—$1000 —Warranty A certain lot of land situate in North Providence in said County and State and is bounded and described as follows, Beginning at the South Westerly corner of the lot on the east side of the Smithfield Turnpike Road & runs Northerly bounding Westerly on said Road Seventy Seven feet to land now or recently belonging to William Randall thence Easterly bounding Northerly on said Randall land One hundred and One feet to lot 9 on a "Plat of House Lots" on Smithfield Turnpike belonging to Samuel Whelden Surveyed and Platted June 8, 1847, by Atwater and Schuberth thence Southerly bounding Easterly on Lots Nos. 9 & 10 on said Plat Seventy three and $\frac{28}{100}$ feet to lot No 7 thence westerly and bounding Southerly on Lot No 7 One Hundred $\frac{93}{100}$ feet in a line running across the Middle of a Well to the first mentioned bound and is lot No 8 (Eight) on said Plat. [*Deed Book No. 14, page 207, Pawtucket.*]

[**December 6, 1847.**] Report. We were instructed to enquire whether the city of Providence had been deeding away any of the public

highways in this town. We find from the best information we are able to obtain that the old road laid out or built by the state prior to 1700 & repaired & straightened by the state in 1713 from Weybossett to Pawtucket bridge, lay about the whole width of it to the west of the west line of the Pawtucket turnpike at the point where Harringtons lane enters it. From thence the old road formerly run west of and about in the same direction as the west line of the turnpike now runs about ten rods, when it made a bend more westerly untill it came nearly to the corner of William Randalls stone wall, where it made another short bend easterly & soon entered the present old road.—

We cannot find that there is any plat on record in existence to show where this road was laid out. In Sept. 1791 the town council of this town (at the request of the freemen of the town of Providence and their agreement to maintain the same as far north as they used to) laid out a new road 50 feet wide partly on the old road & partly on land of Jeremiah & Joseph Dexter. In laying out this road the council took off 15 feet from Jeremiah Dexters land at Harringtons lane & at the said Dexters north line about the whole width of the road was carried to the road as it was in 1767. Both of the above roads never wholly in North Providence as the town was bounded by the burying ground. When the Providence and Pawtucket Turnpike was built in 1808 the turnpike by the original charter was located to the eastward of the old road of 1791 wholly & would take all the land where the late Jeremiah Dexters house stands The turnpike company being unable to agree with Mr. Dexter or his heirs for the land where his house stood Applied to the General Assembly Oct 1808 for an Amendment to their charter & the General Assembly by their Act made the north west corner of Jeremiah Dexters dwelling house & a point three rods east of the road of 1791 at the north line of said Dexters farm for the east line of said Turnpike road. By this Act the Turnpike was carried about one half of it west of the east line of the old road at Harringtons lane and the whole width

of the Turnpike was to the east of the eastermost part of the old road of 1791 at the north line of said Dexters land. The city have sold to John Carter Brown the old road up to the west line of the Turnpike it being about two rods wide at Harringtons lane & some three rods or more wide at the north line of the late Jeremiah Dexters land in the town of North Providence as the town line run by the act of 1767. By the 2nd section of the amendment Act, taking a part of the old road for the Turnpike it says "That no partition fence shall be erected between the old road and the road belonging to said Turnpike Corporation in any place southerly from a point twelve rods northerly from the south west corner of the land of Joseph Dexter" Which secures the right to travel on the turnpike from either of the old roads and does away with the necessity of that part of the two old roads sold by the city which lay in this town. The sale made by the city to John Carter Brown was made by the authority of an act of the General Assembly passed in 1795 but said act does not authorize the city to sell any old road. It authorized the city to sell certain parts of the old Burying Ground which was bounded to the old road. We do not consider the sale of the old road in this town worth a straw if it should ever hereafter be necessary for this town to order said road opened. Although the road sold or the greater part is by the new line within the city the city have no right to declare said road useless it having been laid out by the state originally. The public having the right to travel on the turnpike opposite the old road we therefor consider the city as having done us a favor by selling the useless old road & do not think it is necessary for this town to take any further steps in relation thereto at present.

Lemuel Angell
Stephen Randall } Comt.

December 6, 1847 Upon the report of a Committe heretofore Appointed to enquire whether the city of Providence has conveyed away any of the old highways belonging to this town. ordered that the same

be received and placed on file. Town Council Book 6 page 297. [*Town Council Records No. 6, North Providence, page 297.*]

[**December 13, 1847.**] To the Joint Committee of the City of Providence and Town of North Providence appointed to revise the Boundary Line between said City and Town.

The undersigned ordered to survey and erect suitable monuments on the dividing line between Providence and North Providence.

Respectfully Report, that agreeable to your direction we began in the Center of the Woonasquatucket River near the lower end of Four Stack Meadow and from thence run N. 32° 3 E to a Stone Monument on the Southerly side of the Road late the Providence & Douglas Turnpike; said line is indicated on the ground by a granite Monument on the bank of the aforesaid River also by another on the southerly side of Smith Street also by rough granite Bound Stones on each of the intermediate streets crossed by said line also by the South East corner of Mrs Smiths Mansion house.

From thence we run N 31°-55′ E on a line ranging to the stump of an ancient Oak tree at the Original North west Corner of the North Burial Ground to a monument by us erected on the Southerly side of the Douglas Branch Road this line is indicated on the ground by a Granite Monument on the East side of Charles Street and on the southerly side of the West River Road near the junction of Walling Street also by rough granite bound stones on each of the other Streets crossed by said line from thence we run N 34° 25′ W. with the Southerly line of said Branch Road about four Rods to the range of the west line of the Smithfield Turnpike to another rough granite Stone bound From thence we run along the West line of the Smithfield Pike N $8\frac{1}{2}°$ E to a point in range with the new north line of the North burial ground where we erected another granite monument from thence we run S $68\frac{1}{2}°$ E on the line aforesaid of the North Burial Ground to the

East line of the Old Pawtucket and Providence Turnpike to another granite Monument; from thence we run S 34°-25 W on the East line of said Pike to the intersection of the North line of Harringtons lane to a rough Granite Stone bound; from thence Easterly with the North line of said lane and Easterly & northerly with the North and Westerly lines of the Old neck Road to a point in range with the dividing line between the Butler Hospital Estate and Swan Point Cemetery where we Erected another granite Monument from thence South about $69\frac{1}{2}°$ East with the dividing line between the Butler Hospital Land & said Cemetery to another granite monument on the shore of the Pawtucket River and from thence on the same range to the line of the State of Massachusetts.

The Granite Monuments herein mentioned are about $7\frac{1}{2}$ feet long placed $3\frac{1}{2}$ feet in the ground the remaining 4 feet being Cut or dressed to a smooth face on all four sides with the letters P and N. P. for Providence & North Providence cut on each, the rough granite stone bounds are about $3\frac{1}{2}$ feet long & 8 inches square placed about 3 feet in the ground

All of which is most respectfully submitted

Lemuel Angell
Stephen Atwater } Surveyors

Providence December 13 1847

REPORT.

The Committee appointed to run the line between this City and North Providence respectfully report

That they have caused the line to be Carefully surveyed and bounds placed in conformity to what seemed most convenient for the Citizens

The Chief Alterations are varying the line in the vicinity of the North Burying Ground and of the Butler Hospital Farm so as to include both of those tracts of ground and is part of Harringtons Lane in this City.

Herewith the Committee present report of the Surveyors with a plat of the line from Four Stack Meadow to Seekonk river.

The Committee recommend that the City Council join the Town of North Providence in petitioning the General Assembly for the passage of an act establishing the line as now run.

Which is Respectfully submitted,

In behalf of the Committee.

Thomas M. Burgess.

Providence Dec. 13 1847.

Read whereupon it is resolved that the same be received and adopted.

Passed December 13, 1847.

Resolved that the Mayor be and he is hereby appointed a Committee to unite with such Committee as may be appointed by the Town of North Providence; in a petition to the Hon! General Assembly for the passage of an act to establish the line between said Town and the City of Providence according to the report and plat this day made and submitted to the City Council.

Passed Dec! 13 1847.

[*City Council Records No. 2, pages 406-7.*]

[**January 10, 1848.**] Resolved That the Mayor who was on the 13th of December last appointed a Committee to unite with the Committee of the Town of North Providence in a petition to the General Assembly for the passage of an Act to establish the line between said Town and the City of Providence according to the Report and Plat then submitted to the City Council be and he is hereby authorized to agree in behalf of the City that said line be so established, that the land comprising the Swan Point Cemetery and the road in front of the same be included in the City.

Passed January 10, 1848.

[*City Council Records No. 2, page 410.*]

[**January Session, 1848.**] An Act in Amendment of An Act entitled "An Act Dividing the town of Providence and Incorporating the Northermost Part thereof into a Township to be called North Providence"

It is enacted by the General Assembly as follows:

Section 1. That part of the dividing line between the City of Providence and the town of North Providence between Woonasquatucket and Pawtucket rivers shall hereafter run as follows viz: Beginning at the middle of Wonasquatucket river thence north thirty two degrees three minutes east to a marked stone placed at high water mark; thence on the same course to a marked stone on the southerly side of the highway that was formerly the Douglas turnpike; thence north thirty one degrees fifty five minutes east to a marked stone standing on the southerly side of the Branch road; thence north thirty four degrees twenty five minutes west four and a half rods to a stone placed in the line of said road and in range of the west line of the Smithfield turnpike; thence north eight and a half degrees east crossing said Branch road and following the west line of said Smithfield turnpike until it intersects a continuation of the north line of the burying ground at which point is placed a marked stone, thence south sixty eight and a half degrees east across said turnpike and with the north line of the burying ground to the easterly side of the Providence and Pawtucket turnpike to a marked stone thence south thirty four degrees twenty five minutes west with the easterly line of said turnpike to the north line of Harrington's lane thence easterly with the northerly line of Harrington's lane and the westerly line of the old Neck road to the range of the north line of Swan Point Cemetery thence with the north line of said Cemetery to the Pawtucket river at high water mark thence due east to the line between this State and Massachusetts.

Sec. 2. The residence or home of all persons inhabiting any dwelling house that now is or hereafter may be built upon or across said line-

shall be in the town in which the greater part of such dwelling house shall be situated as effectually as though the whole of such house stood in such town ; but the real estate shall be taxed in the town in which it is situated Provided that if the residence of any voter be changed by the operations of this act he shall not thereby lose his right to vote but may vote in the town in which his residence shall be after the passage of this act.

Sec. 3. Nothing in this act shall be construed to affect the rights of the inhabitants of North Providence to the ancient burying ground. [*Acts of General Assembly, January Session, 1848, page 9.*]

[**January Session, 1848.**] Report. The Committee appointed at the October Session of this Assembly A. D. 1847, to ascertain the lines of the Providence and Pawtucket turnpike road, and to mark out the same by proper bounds and monuments, respectfully report ; That they have attended to the matter Confided to them, and after a careful examination of all acts and proceedings in relation to this road since its establishment, June, 1807, they find that the lines marked in the accompanying plat, delineated under their direction by Messrs. Atwater & Schubarth, surveyors, to be the true and lawful lines of said road, and that they ought to be marked and defined as such by the monuments and bounds which the Committee are authorized to erect. Immediately after the appointment of the Committee the agent of the road, at their request, Caused a careful survey to be made by a competent surveyor, of the same as originally laid out, with the direction to minute out his plat all encroachments on the line of said road by individuals or Corporations, and the number of feet and inches in each case and the nature of the encroachment Mr Atwater has performed this duty, as the Committee from personal inspection can state, with great fidelity and accuracy, which enables us to place on record such a full delineation of the lines of the road, as well as of the encroachments made on it, as will

probably preclude hereafter any controversy upon that subject. The Committee passed over the whole extent of the road and verified for themselves the correctness of the surveyor's delineations, and then caused to be noted on the plat the angles at which, in their opinion, the monuments and bounds should be erected. They have directed the agent to cause the monuments to be procured and erected at the points indicated, unless the General Assembly in the mean time on an inspection of the plat, be of opinion that their number or position can be changed to advantage. The number of monuments required to be erected from Pawtucket, bridge to the Providence line is twenty.

With respect to the encroachments on the line of the road reported by the surveyor, the Committee have advised the agent to cause the cellar steps of Joseph W. Miller and of Enoch Adams, marked on the plat, to be removed from the road on due notice given, on or before the first day of June, 1848; and that he give notice to other persons and corporations which have encroached thereon of the fact and extent of their encroachments, and that he require them to discontinue the same as soon as may be practicable to remove the buildings or fences designated. The Committee have directed the agent to cause a copy of the survey herewith communicated, to be recorded in the town Clerk's office of the town of North Providence, and recommend that the original survey be deposited in the office of the Secretary of State.

All which is respectfully submitted.

Christ'r E. Robbins
Caleb Congdon Committee
W. H. S. Bayley

[*Acts of General Assembly, January Session, 1848, page 62.*]

[**February 14, 1848.**] To the City Council:

The Committee on the North Burying Ground Respectfully Report—

That in closing the account of the work done under the direction the last and present year in fencing & in constructing Avenues and paths and grading portions of the ground they find the appropriations made for those purposes are insufficient to Settle the bills against the work by about Six hundred dollars.

They herewith present a Statement of the account and request an appropriation of Six hundred dollars to settle the same Intending hereafter to report more fully as to the condition of the Ground & of such matters relating thereto as may be of interest or importance.

Wm J. Patten for the Committee. Providence Feb. 14, 1848.

Read whereupon it is resolved that the same be received.

Passed Feb. 14, 1848.

Statement of the Committee referred to in the foregoing Report—

Disbursements for Stone Posts say	$708 –	
" Chestnut Stuff	756.46	
" other Materials and Miscellaneous bills	227.18	
Carpenters Work & Construction	547.12	
Apportionment for grading for fence	705.43	2944.19
Amt paid for work on Avenues paths grading including for tool House & office $50. and for tools cart & other property on hand $95. actual & estimated Cost of removal & repairs of buildings to front lot $200.—		2589.41
Amo Disbursements		5533.60

Appropriations by the City.

1845	October	For building the fence	$2500	
1847	Oct.	" Avenues Grading & improvements to date	2000	4500.00
Balance due from the Ground				1033.60
To pay this balance there are bills due Ground			368.30	
On hand of above appropriation			74.53	442.83
Bal. of Debt for which an appropriation is requested				590.77

Statement of receipts and expenditures by the City on account of the North Burying Ground.

Appropriation for fence		$2500
" " Grading		2000
Do for the Whelden purchase Aug 9/47	6000	
Do for the purchase of additional lots Sept 13/47	1200	
	7200	
	1210	
Expended		5990
Whole Expenditure		10490
Receipts		
Received of J. Carter Brown Esq.	2500	
Do for sale of burying Lots		3907.07
Amt expended over & above the receipts		6582.93
Add to this the amt now asked for by the Com^{e}		600.00
Present indebtedness of the North Burial Ground		7182.93

Statements of the Receipts & Expenditures of the Committee for Fencing, Grading and other work to the present time

Expended	5533.60
Receiᵈ from the City Treasurer	4500.00
Expended more than received	1033.60
Deduct various assets now in hands of Committee estimated	442.33
Due to the Committee	590.77

The foregoing Statement I believe differs in form only from the one submitted by the Chairman of the Committee and I cheerfully join the majority in asking for the appropriation ; which is needed to relieve the committee from its present embarrassment.

But in as much as a portion of these Expenditures namely about two hundred Dollars for materials and work done on the Whelden purchase, and the annexation of that whole property to the North Burying Ground having never had the unanimous approval of the Committee and are in my opinion a departure from the original policy or plan marked out and intended to be pursued by the City Council at the commencement of the undertaking I feel bound to say that when the Council makes the appropriation now asked for it ought in my opinion to adopt some method by which the City may be reimbursed for some portion at least of the expenditures already made.

Respectfully submitted

by John J. Stimson.

Providence Feby 14 1848.

Read Whereupon it is resolved that the same be received.

Passed February 14, 1848.

[*City Council Records No. 2, pages 416-17.*]

[**March 13, 1848.**] An Ordinance in relation to the North Burying Ground

Whereas the City Council of the City of Providence by an Ordinance passed on the thirteenth day of September A. D. 1847 did annex to the North Burying Ground a tract of Land then recently purchased of Samuel Whelden consisting of about Six acres fronting the Smithfield Turnpike on the West & adjoining the North Burying Ground on the East & did declare the same to be part & parcel of the said North Burying Ground Estate and as it is believed that said Land will not be needed for the purpose of burying the dead for many years.

Be it Ordained by the City Council of the City of Providence

Section 1. That the City Treasurer lease the Three dwelling Houses & Barn on that part of the tract of land purchased of Samuel Whelden adjoining the Smithfield Turnpike which was added to the North Burying Ground by the Ordinance of September thirteenth A. D. 1847—and that he also lease with no building to be erected thereon that part of said Whelden tract added to the North Burying Ground by said Ordinance and on which said houses and barn now stand & now consisting of a Strip of land about 240 feet in width (measuring Easterly from said Smithfield Turnpike on which it fronts westerly) and running the whole length of the Whelden Tract and that he credit to the general account of the City all monies received on account of said Leases.

Section 2. The Committee on the North Burying Ground are hereby authorized and directed to cause the tract herein ordered to be leased to be suitably fenced off from the North Burying Ground and to Continue the fence if necessary in a Southerly line across the South westerly part of the North Burying Ground Estate to the Douglas Turnpike

Section 3. The rest of said North Burying Ground Estate shall be under the care and direction of the Committee on the North Burying Ground and of the Superintendant or Overseer of the North Burying

Ground who shall give his personal attendance care & services to the protection improvement & proper use of the grounds and to maintaining and enforceing all ordinances and regulations applicable thereto under the direction of said Committee.

Section 4. It shall be the duty of the Superintendant to keep a Record in a Book to be appropriated to that special purpose of all burials which are made in the North Burying Ground including those made in Proprieters lots stating the name, residence, occupation, age, the date and as near as may be the place of interment of each person buried, with any other circumstances which the Committee on the North Burying Ground shall direct.

Section 5. It shall be the duty of the Superintendant to cause to be dug by his authorized agents all the graves dug within the North Burying Ground including those dug in and upon Proprieters lots— excepting those dug for the burial of the Poor from the Dexter Asylum which shall be dug as heretofore at the Expense and by the agents of the Asylum in that part of the ground appropriated for that purpose.

Section 6. The Superintendant shall receive as Compensation for the performance of his duties the fees for digging all graves dug in the North Burying Ground, receiving the sum usually charged for such service He shall also receive the sum of One Dollar each for assisting in selecting and marking out and granting a Certificate for a deed of a lot in the Burying Ground : these fees to be paid by the parties for whom the service is rendered.

Section 7. It shall be the duty of the Superintendant to keep an exact account of the money received by him for digging graves and for Certificates of lots : to be reported by him to the City Council annually previous to a new election and whenever directed.

Section 8. All moneys received by the City Treasurer for the Sales of Burying lots in the North Burying Ground are hereby appropriated to the improvement and protection of the Ground, Avenues and

fences thereof and he is hereby directed (after deducting from the amount heretofore received and hereafter to be received therefor the sum of Twenty six hundred Dollars which has been appropriated for making Lanes & Avenues and for grading said ground) to pay out any balance accruing from time to time for such sales upon the order of the Committee on said Ground or upon the order of the Superintendant Certified by said Committee.

Section 9. Every person who shall dig or commence or attempt to dig any grave in the North Burying Ground except by authority of the Superintendant shall forfeit and pay the sum of Five Dollars for each Offence One half thereof to and for the use of the Superintendant or Overseer of the North Burying Ground and one half to and for the use of the City to be recovered by proper legal process before any Court of competent jurisdiction

Section 10. So much of any existing Ordinance as is inconsistent with this Ordinance or with any of the provisions of this Ordinance is hereby repealed.

Passed March 13, 1848.

[*City Council Records No. 2, pages 425-6-7.*]

[**April 10, 1848.**] Ordinance in relation to the North Burying Ground.

Section 1. Be it ordained by the City Council of the City of Providence.

That the Superintendant of the North Burying Ground be and he is hereby directed to allow all bodies which were deposited in tombs before the first day of April inst. for burial in said Ground to be buried therein and the graves therefor to be dug as the same might have been before the passage of the Ordinance passed March 13th ult. provided said bodies be buried on or before the first day of May next.

Passed April 10, 1848.

[*City Council Records No. 2, page 432.*]

[**May 8, 1848.**] Resolved that the Committee on the North Burying Ground be authorized to cause repairs and improvements on the Whelden House and Barn not exceeding the sum of One Hundred and fifty Dollars to pay for the same out of the appropriation for the purchase of the Whelden Estate.

Passed May 8 1848.

[*City Council Records No. 2, page 440.*]

[**July 3, 1848.**] Upon the petition of sundry persons Ordered & Decreed that a Highway is adjudged necessary to connect the Old Providence Road with the Power Road Westerly of the Pawtucket Old Turnpike at a place where a Way or Road long used has lately been fenced across by—Randall It is further ordered & Decreed that Amos Ide, Samuel Sisson & Edmund Cole be appointed a Committee to survey bound & mark out said Highway, agree with the owners for damages if any they claim & report their doings together with an exact plan or map of the Road by them laid out in order that the same may be opened, reopened declared or established as a Public Highway—And Lemuel Angell Esq^{r} is appointed the Justice & C. A. Leonard the Constable to accompany said Committee in the discharge of said duties. Voted & Resolved—That all unfinished business be Continued to the first Monday of August next & that this Council & Court adjoin then to meet at the Clerk's Office at 9 o'clock A. M.

Attest J. H. Weeden T. Clerk.

[*North Providence Town Council Records, No. 7, page 12.*]

[**July 17, 1848.**] Resolved That Messrs Earle, P. M. Mathewson & Baker of the Common Council and Alderman Knowles be and they are hereby appointed a Committee upon the North Burial Ground with

full power under and to continue and carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground

Passed July 17, 1848.

[*City Council Records No. 2, page 467.*]

[**August 7, 1848.**] Report.

Providence S. C.

To the honorable the town Council of North Providence in the County of Providence to be holden on the 7th day of August A. D. 1848 Pursuant to the aforegoing warrant we the subscribers on the tenth day of July 1848 being accompanied by the within named Lemuel Angell and Charles A. Leonard proceeded to where the old highway long used had been fenced across by Mr Randall and from thence surveyed bounded and marked out a highway from the most southerly corner of the Brown and Ives Dexter farm (so called) to the Power Road (so called)

Beginning at the said southeasterly corner of said Brown & Ives farm at a stone set into the ground on the west side of said road and where their was the remains of an old stump a Noted bound of the Old road, and from thence running south 30 1/3° West twenty seven rods and five links to a stone set into the ground on the southwardly side of said Power road five rods and twenty links from the west line of the old Providence and Pawtucket Turnpike road and said road is to take its width three rods wide to the eastward of said run out line. And your committee are of the opinion and believe that they have laid out said road over and on the same ground where an ancient highway has been traveled from time immortal until sience the make of the said Providence and Pawtucket pike road Therefore in their oponions no one has sustained any damage thereby.

But your Committee feel bound to report that Messrs William & Edward Randall have now a fence acrossing said road in two places thereby enclosing the same.

And the annexed is an exact draft or plan of said highway as surveyed, bounded and marked out by us.

Given under our hands and seals this 7th day of August A. D. 1848.

Amos Ide L. S.
Samuel Sisson L. S.
Edmund Cole L. S.

[*North Providence Records Box 41, City Clerk's Office, Pawtucket.*]

Upon the Report of Amos Ide & others a Committee appointed to relay a highway from the Old Providence Road to the Power Road at a place lately fenced across Westerly of the Old Providence & Pawtucket Turnpike near Edward Randalls. Ordered that the consideration thereof be referred to a Town Council next to be holden at the Town Clerks Office on the first Monday of September next at 10 O'clock A. M. and that William Randall & Edwin Randall being the only proprietors of the adjoining lands be notified according to Law.

[*North Providence Town Council Records No. 7, page 18.*]

[**September 4, 1848.**] Upon the Report of Amos Ide & others heretofore appointed a Committee to lay out a highway adjudged necessary to connect the Old Providence Road with the Power Road Westerly of the Pawtucket Old Turnpike where a Way or Road long used has lately been fenced across. The parties having been duly notified & no person appearing to claim damages or to object to the establishment of said Report It is ordered & decreed that said Report be received & recorded & said Highway as laid out established & that a Warrant to the Town Sergeant or Constable to lay the same open & remove all obstructions therefrom be issued returnable forthwith. Said Council do further adjudge that no person has sustained any damage by reason of the laying out of said Highway.

[*North Providence Town Council Records No. 7, page 33.*]

[**January Session, 1849.**] Resolved, That Messrs Hidden, Hutchins and Weeden, be a Committee to define and fix the southerly termination of the state turnpike Connecting Providence and Pawtucket.
[*Acts of General Assembly, January Session, 1849, page 16.*]

[**June 11, 1849.**] Resolved That Messrs Earle Davis & Martin of the Common Council and Alderman Knowles be and they are hereby appointed a Committee upon the North Burial Ground: with full power under and to continue and carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground.

Passed June 11, 1849.

[*City Council Records No. 3, page 30.*]

[**October 8, 1849.**] Resolved that the City Treasurer be and he is hereby directed to pay to Messrs Atwater Schubarth and Haynes the sum of Seventy Eight dollars and Seventy five cents being the amount of their account against the City for Surveying and platting the North Burying Ground.

Passed October 8, 1849.

[*City Council Records No. 3, page 46.*]

[**December 10, 1849.**] Resolved That the sum of Four Hundred and fifty Dollars be and the same is hereby appropriated out of any monies in the Treasury not otherwise appropriated for the purpose of paying certain bills contracted for repairs in 1847 & 8 on Houses situated on the North Burying Ground Lot purchased of Samuel Whelden and for the payment of the bill of the Superintendent of the North Burial Ground for labour.

Passed Dec. 10, 1849.

[*City Council Records No. 3, page 53.*]

[**January 14, 1850.**] Resolved That the sum of fifty dollars be and the same is hereby allowed to Philip W. Martin the Superintendent

of the North Burial Ground for services rendered by him during the year ending on the first Monday in June in addition to the amount already received by him for services during said year and that the same be charged by the City Treasurer to the account of the North Burying Ground

Passed January 14, 1850.

[*City Council Records No. 3, page 56.*]

[**January 14, 1850.**] The Committee on the North Burying Ground recommend that a further sum of fifty Dollars be allowed the Superintendent for services rendered and that the same be placed to the account of North Burial Ground.

Wm. Earle.

for the Committee.

Agreeably to the foregoing Report the Council allowed P. W. Martin the sum recommended.

[*City Council Records No. 3, page 56.*]

Resolved that the within Report of the Superintendent of the North Burial Ground be received.

Passed January 14, 1850.

[*City Council Records No. 3, page 57.*]

[**February 11, 1850.**] Resolved That the sum of One thousand Dollars be and the same is hereby appropriated out of any monies in the Treasury not otherwise appropriated; for the improvement of the North Burial Ground and that the same be charged to the account of the North Burial Ground by the City Treasurer and paid out upon the order of the Committee on the North Burial Ground.

Passed February 11, 1850.

[*City Council Records No. 3, page 57.*]

[**June 3, 1850.**] An Ordinance in addition to an Ordinance entitled "An Ordinance in relation to the interment of the dead"

It is Ordained by the City Council of the City of Providence as follows viz:

Section 1. The Undertakers of the City are required hereafter to use the forms of returns prescribed by the laws of the State.

Section 2. All the provisions of the Ordinances to which this is in addition excepting such as relate to returns are continued in full force and effect.

Passed June 3, 1850.

[*City Council Records No. 3, page 81.*]

[**June 3, 1850.**] Resolved That Messrs Earle Davis & Potter and Alderman Knowles be and they are hereby appointed a Committee upon the North Burial Ground with full powers under and to continue and carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground.

Passed June 3d 1850.

[*City Council Records No. 3, page 82.*]

REPORT.

To the Honl City Council.

The Superintendent of the North Burying Ground respectfully reports that from the first monday of June 1849 to the first monday of June 1850 he has caused to be dug in the Ground 393 Graves (45 of which were for reinterments from Avenues and yards) amounting to $605.50 of said amount $567.50 has been received 38 Dollars remaining unpaid a part of which will be lost.

The Superintendent further reports that he has issued within the above named period Certificates for 71 Lots amounting to 71 Dollars,

of said amt. 59 Dollars has been received leaving 12 Dollars for Certificates unpaid the Deeds now remaining in the Treasurer's Office

Amt received for Certificates. 59.00

$626.50

Providence June 3d., 1850.

Respectfully submitted by

Philip W. Martin

Supt N. B. Ground.

The Superintendent respectfully suggests the propriety of making it the duty of some one to collect the amount now due for deeds remaining in the Treasurers Office for the past two years

Read Whereupon it is resolved that the same be received and recorded.

Passed June 3, 1850.

[*City Council Records No. 3, page 89.*]

[**June 2, 1851.**] Resolved That Messrs Earle Blodget & Lester and Alderman Knowles be and they are hereby appointed a Committee upon the North Burial Ground with full power under and to carry into effect the provisions of any ordinance or resolution existing in relation to said Burial Ground.

Passed June 2, 1851.

[*City Council Records No. 3, page 157.*]

[**June 2, 1851.**] Report.

To the Hon. City Council

The Superintendent of the North Burying Ground respectfully reports that from the 1st Monday in June 1850 to the first Monday in June 1851 he has caused to be dug 283 Graves (37 of which were for reinterments from yard and Avenues) amounting to $445.50 of said amount 396 Dolls & 50 cts has been received leaving 49.00 uncollected

The Superintendent further reports that he has issued within the above named period certificates for 44 Lots amounting to $44.–
10 of which now remain in the Treasurers office uncollected

Amount received for digging graves	396.50	
Do " " Certificates	34.–	$430.50
Amount due for digging Graves	49.00	
Do " " Certificates	10.–	59.00
Amt due & Collected for the year.		$489.50

Respectfully Submitted,
Philip W. Martin,
Supt. of N. B. Ground.

Providence June 2, 1851.

Read Whereupon it is resolved that the same be received & recorded.

Passed June 2, 1851.

[*City Council Records No. 3, page 159.*]

[**July 21, 1851.**] Resolved That the Surveyor of Highways be and he is hereby authorized to aid the Superintendent of the North Burial Ground in procuring manure for the use of said Burial Ground from the Streets and other places of deposit wherever there may be a Surplus not required for other public purposes.

Passed July 21, 1851.

[*City Council Records No. 3, page 173.*]

[**October 13, 1851.**] Resolved That the subject of the recent encroachments on the North Burying Ground be referred to the Joint Committee on the North Burying Ground and that the Superintendent of said ground be and he is hereby directed to remove all fences and obstructions which said Committee decide to be recent encroachments

Passed October 13, 1851

[*City Council Records No. 3, page 179.*]

[**November 10, 1851.**] Resolved That the City Treasurer be and with the advice of the Committee on the North Burying Ground, Is hereby authorized to Quitclaim all the right title or interest the City has to any Lands on the East side of Sexton Street (so called) And the proceeds thereof be and is hereby appropriated to the said Ground.

Passed Novr. 10, 1851.

[*City Council Records No. 3, page 183.*]

[**January Session, 1852.**] Extracts from the Acts of the General Assembly and General Laws of Rhode Island.

An Act enabling Town Councils to act as Trustees for the purpose of holding Burial Lots.

It is enacted by the General Assembly as follows:

Section 1. The town council of the several towns are hereby authorized to take and hold to them and their successors in office, all such land as shall be conveyed to them in trust for burial purposes and in like manner to receive and hold all funds that shall be conveyed to them for the purpose of ornamenting or keeping in repair such burial lots, and to execute said trusts in accordance with the terms contained in the instruments of conveyance. [*Acts of General Assembly, January Session, 1852, page 9; See Acts of April 21, 1882 and March 28, 1884; also extract from General Laws Ed. 1896, in effect February 1.*]

[**June 7, 1852.**] Resolved that Messrs Blodget Mason & Holden and Aldn Knowles be and they are hereby appointed a Committee upon the North Burial Ground with full power under and to carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground.

Passed June 7 1852.

[*City Council Records No. 3, page 245.*]

To the Honl City Council

In conformity to the 7th Section of an Ordinance in relation to the

North Burying Ground herewith attached the undersigned respectfully reports that from the first monday in June 1851 to the monday in June 1852 he has caused to be dug 269 graves including removals and reinterments from yards & Avenues amounting to 409.50

The undersigned further reports that he has issued within the above period 21 Certificates amounting to 21.00

Total Amt. received 430.50

Providence June 7, 1852.

Respectfully submitted by
P. W. Martin Supt. of
N. B. Ground.

Read Whereupon it is resolved that the same be received & recorded.

Passed June 7, 1852.

[*City Council Records No. 3, page 246.*]

[**September 27, 1852.**] Resolved That the Committee on the North Burial Ground be and they are hereby authorized to cause a Gateway and Fence to be erected at the Main Entrance of said Burial Ground and that the sum of Eighteen hundred and fifty Dollars be and the same is hereby appropriated for defraying the expense of same.

Passed Sept. 27, 1852.

[*City Council Records No. 3, page 266.*]

[**May 30, 1853.**] The Committee on the North Burial Ground report that they have caused a Gateway & fence to be erected on said N. B. Ground expense $1686– leaving of the appropriation $164 unexpended.

Read Whereupon it is resolved that the Same be received.

Passed May 30, 1853.

[*City Council Records No. 3, page 316.*]

[**June 6, 1853.**] Resolved That Messrs Mason, Williams & Saunders and Ald n Knowles be and they are hereby appointed a Committee upon the North Burial Ground with full power under and to carry into effect the provisions of any Ordinance or Resolution existing in relation to said Burial Ground.

Passed June 6, 1853.

[*City Council Records No. 3, page 324.*]

[**August 22, 1853.**] Resolved That the sum of Five Hundred Dollars be and the same is hereby appropriated and to be paid out of any moneys in the Treasury not otherwise appropriated to be expended under the direction of the Committee on the North Burial Ground in enclosing with a suitable fence and otherwise improving the triangular piece of ground South of and adjoining the North Burial Ground

Passed August 22, 1853.

[*City Council Records No. 3, page 354.*]

[**October 20, 1853.**] City Clerks Office, Providence.

Oct. 20, 1853.

I hereby Certify that I have examined the Records in this office in relation to Sexton Street & I have not been able to find any evidence that it was laid out by the Town or that the Town Council or Board of Alderman of said City have ever declared the aforesaid Street a Public Highway.

Albert Pabodie

City Clerk.

[*Case 1338—Whelden vs. Martin, Supreme Court, March Term, 1852.*]

[**June 5, 1854.**] The Superintendent of the North Burying Ground makes his Annual Report.

Amt received $487–

Read Whereupon it is Ordered that the same be received.

Passed June 5, 1854.

[*City Council Records No. 3, page 431.*]

[**June 5, 1854.**] Standing Committee ap.
On the North Burial Ground

Messrs Mason, Saunders, Cowell & Ald n Hall.

[*City Council Records No. 3, page 431.*]

[**August 14, 1854.**] An Ordinance in Amendment of An Ordinance entitled "An Ordinance in relation to the North Burial Ground"

It is Ordained by the City Council of the City of Providence as follows:—

The first section of said Ordinance authorizing the City Treasurer to lease certain lands and buildings therein described and the second section of said Ordinance be and the same are hereby repealed and that said Land be subject to sale for burying Lots in the same manner as the other portions of the North Burial Ground.

Passed August 14 1854.

Approved E. P. Knowles,
Mayor.

[*City Council Records No. 3, page 443.*]

[**September 1, 1854.**] City Ordinances Revision of 1854.

An Ordinance establishing the ordinances of the City of Providence, prescribing the time when they shall take effect, and the manner of publishing the same.

Whereas the Committee appointed to revise the ordinances of the City have reported certain bills, of which those herein after mentioned by their titles have been carefully examined and considered by this City Council therefore.

It is Ordained by the City Council of the City of Providence as follows

Section 1. The several ordinances, the titles of which are hereinafter mentioned are hereby declared to be the ordinances of this City,

and all such of them as are new ordinances and all such parts of them as are amendments or alterations of any previous ordinance shall go into operation and effect on the first day of September next;

An Ordinance in relation to the ordinances of the City of Providence

An ordinance designating the officers to be appointed by the City Council in addition to those specially designated and required to be appointed by the city charter.

An ordinance in relation to the interment of the dead.

An ordinance in relation to the North burial ground.

Sec. 2. All ordinances heretofore passed by the town or the town council of the town of Providence or by the city council of the city of Providence which are repugnant to the provisions of the above named ordinances shall be and they are hereby declared to be repealed from and after the first day of September next.

[*City Ordinances of 1854, page 137.*]

An Ordinance designating the officers to be appointed annually by the City Council, in addition to those specially designated and required to be appointed by the City Charter.

It is ordained by the City Council of the City of Providence as follows:

Section 1. Pursuant to the laws of the State, the following officers shall be annually appointed by the City Council, in addition to those specially designated by the City charter, to wit; a city sergeant; * * *

Sec. 2. The following officers, in addition to those required, as designated in the preceding section, shall be appointed by the City Council annually to wit; * * * *; three commissioners of the North burying ground; * * * *; superintendent of the North burying ground.

[*City Ordinances of 1854, page 142.*]

An Ordinance in relation to the interment of the dead.

It is ordained by the City Council of the City of Providence, as follows:

Section 1. There shall be appointed by the city council a sufficient number of persons to act as undertakers, removable at the pleasure of the city council.

Sec. 2. Whenever any person shall die in this city it shall be the duty of the physician attending in his or her last sickness, to leave, within forty-eight hours after the death, at the last residence of such deceased person, a certificate stating the disease or accident which caused his or her death, which certificate shall be delivered to the undertaker, who may conduct the funeral of such deceased.

Sec. 3. No undertaker or other person shall bury the body of any person dying in this city, without first enquiring for the certificate of the physician as aforesaid; and if no such certificate can be procured, the undertaker or person directing the funeral shall, within three days after such funeral, report the want of the certificate to the city clerk; and the undertakers shall, with their monthly returns, deliver the physicians' certificates to the city clerk.

Sec. 4. Every physician omitting or neglecting to leave such certificate as aforesaid shall forfeit and pay the sum of five dollars for each offence.

Sec. 5. Every undertaker shall make return to the clerk of the board of health, between the hours of nine o'clock A. M. and two o'clock P. M. of the first Wednesday of each month, of all interments made and funerals conducted by him during the preceding month, in form as follows, to wit:

An accurate list of all interments made by me between the first day of A. D. and the last day of the same month inclusive.

Date of Death.	Name and surname of the deceased.	AGE. Years.	AGE. Months.	AGE. Days.	Place of death.	Sex, color and condition.	Occupation of male over 15 years.	Place of birth.	Names of Parents.	Disease or cause of death.

I certify that the above return is correct according to the best of my knowledge and belief.

Undertaker.

Sec. 6. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Sec. 7. The clerk of the board of health shall prepare an abstract of all the returns made to him, and report the same to the board of health, on the Monday next succeeding the first Wednesday of each month. The board of health shall cause a monthly abstract of all such returns to be published in all the newspapers which contract to the city printing, and shall also prepare and publish in all the said newspapers, in the second week in January, in each year, an abstract of all the returns made to them to the close of the preceding year.

Sec. 8. Every undertaker who shall violate any of the provisions of the preceding sections of this ordinance shall forfeit and pay the sum of ten dollars for each offence.

Sec. 9. Any person other than such an undertaker who shall manage and conduct a funeral, or inter or remove from the city a dead body, shall first obtain permission in writing from the board of health, or in their recess from the clerk or one of the members of said board, to do the same; and after said interment or removal is made, shall make return as is directed to be made by undertakers in the fifth section of this ordinance; and for every neglect or refusal to obtain such permission, or to make such return, shall forfeit and pay the sum of ten dollars.

Sec. 10. All permissions given pursuant to the provisions of the ninth section of this ordinance shall be free of charge.

Sec. 11. All returns made by an undertaker or other person shall be recorded by the clerk of the board of health, in a book to be kept expressly for that purpose.

Sec. 12. No undertaker or other person shall hereafter bury or cause to be buried the body of any deceased person, except in such grounds as are now known and used as burying grounds, or such as shall hereafter be by the city council designated as burying grounds, and authorized to be used as such; and every person so offending shall forfeit and pay for every offence the sum of forty dollars, to and for the use of the city, to be sued for and recovered in an action of debt, in the name of the city treasurer, before any court of competent jurisdiction. [*City Ordinances of 1854, pages 204-5-6-7.*]

An Ordinance in relation to the North Burying Ground.

It is ordained by the City Council of the City of Providence, as follows:

Section 1. The city treasurer is hereby authorized to lease the three dwelling houses and barn on that part of the tract of land pur-

chased of Samuel Whelden adjoining the Smithfield turnpike, which was added to the North burying ground by the ordinance of September thirteenth, A. D. 1847; and he is also authorized to lease with no building to be erected thereon, that part of said Whelden tract added to the North burying ground by said ordinance, on which said houses and barn now stand, and now consisting of a strip of land about 240 feet in width, (measuring easterly from said Smithfield turnpike, on which it fronts westerly,) and running the whole length of the Whelden tract; and to credit to the general account of the city all moneys received on account of said leases.

Sec. 2. The rest of said North burying ground estate shall be under the care and direction of the Commissioners of the North burying ground, and of the Superintendent of the North burying ground, who shall give his personal attendance, care, and services to the protection, improvement, and proper use of the grounds, and to maintaining and enforcing all ordinances and regulations applicable thereto, under the direction of said commissioners.

Sec. 3. The city council shall annually appoint three commissioners of the North burying ground, who shall be duly commissioned and engaged to the faithful discharge of their duties. It shall be the duty of said commissioners to exercise a general supervision over said burying ground; to see that all ordinances, regulations, and resolutions of the city council in relation thereto are duly enforced; to do all acts necessary and proper for the improvement and protection of the grounds, avenues, and fences thereof, and for that purpose they are hereby authorized to draw from time to time upon the treasurer, for such sums of money received by said treasurer from the sales of burying lots in the North burying ground as they shall deem proper. Said commissioners shall annually in the month of May, make a report to the city council of the condition of the North burying ground, which report shall contain an exact account of all the moneys expended by said commissioners, in pursuance

of the authority given by this ordinance, and the general purposes of such expenditure; and also such other information as said commissioners shall deem expedient.

Sec. 4. No person shall take up, hold, or own any lot in said burying ground except for the purpose of using the same, in good faith, for a burying lot, and not to sell the same for the purpose of speculation or profit, nor shall any transfer be made without leave first had and obtained in writing from said commissioners.

Sec. 5. No person shall remove any stake, post, bound, or fence placed around, within, or upon said ground, under the direction or permission of said commissioners or of the superintendent; nor mutilate, deface or injure the same, or any monument, tree, shrub, or other thing intended for protection, improvement, or ornament, placed therein, nor commit any trespass or injury within or upon said ground or any part thereof.

Sec. 6. No person shall erect or build any vault or tomb within the limits of the North burying ground, nor enclose any part or portion thereof, without leave first had and obtained from said commissioners, which leave shall be first certified by said commissioners to the superintendent of said ground.

Sec. 7. No grave shall be dug nor any body buried in or upon any avenue, path or passage way in the North burying ground, and any body so buried shall be removed by the superintendent or by said commissioners at the expense of the person or persons burying or procuring the same to be buried.

Sec. 8. No grave shall be dug, nor any body buried within the North burying ground, excepting in and upon lots of proprietors, unless the place of such grave or burial be located under the direction of said superintendent or of said commissioners.

Sec. 9. Any person who shall dig or commence or attempt to dig, any grave in the North burying ground, except by authority of the

superintendent, shall forfeit and pay the sum of five dollars for each offence, one-half thereof to and for the use of the superintendent of the North burying ground, and one-half to and for the use of the city.

Sec. 10. It shall be the duty of the superintendent to keep a record, in a book to be appropriated to that special purpose, of all burials which are made in the North burying ground, stating the name, residence occupation, age, the date, and, as near may be, the place of interment, of each person buried, with any other circumstances which said commissioners shall direct.

Sec. 11. It shall be the duty of the superintendent to cause to be dug by his authorized agents all the graves dug within the North burying ground, including those dug in and upon proprietors' lots excepting those dug for the burial of the poor from the Dexter Asylum, which shall be dug as heretofore, at the expense and by the agents of the Asylum, in that part of the ground appropriated for that purpose.

Sec. 12. The superintendent, under the direction of said commissioners, shall keep the fences around the burying ground in proper repair, and the gates thereof locked; he shall report to the city marshall every violation of this ordinance, as soon as may be, that the same may be prosecuted; and he shall act in conformity with the directions of said commissioners, in all cases not otherwise specially provided for.

Sec. 13. The superintendent shall receive as compensation for the performance of his duties, the fees for digging all graves dug in the North burying ground receiving the sum usually charged for such service he shall also receive the sum of one dollar each for assisting in selecting and for marking out and granting a certificate for a deed of a lot in the burying ground—these fees to be paid by the parties for whom the service is rendered, and shall also be authorized to require and receive twenty five cents for every other certificate which he may give in his official capacity.

Sec. 14. It shall be the duty of the superintendent to keep an

exact account of the money received by him for digging graves, and for certificates of lots, to be reported by him to the city council annually previous to a new election and whenever directed.

Sec. 15. All moneys received by the city treasurer for the sales of burying lots in the North burying ground are hereby appropriated to the improvement and protection of the grounds, avenues, and fences thereof; and he is hereby directed to pay out, from time to time, the proceeds of such sales, upon the order of said commissioners or upon the order of the superintendent, certified by said commissioners.

Sec. 16. Any person who shall violate any of the provisions of this ordinance, except those contained in the ninth section thereof, shall forfeit and pay a sum not less than ten dollars nor more than one hundred dollars.

[*City Ordinances of 1854, pages 208-9-10-11.*]

[**September 15, 1854.**] Thomas Harkness to City of Providence.—$600.—Warranty. A certain lot of Land situated in the Northerly part of the City of Prov. & is bounded & described as follows Beginning One hundred eighty four feet North of the Southwesterly corner of the fence that encloses the dwelling house & garden belonging to said City from thence Northerly bounding Westerly on the Smithfield Turnpike Road Sixty feet to the said Citys Land & holding the width of Sixty feet extending back Easterly One Hundred eight feet to said Citys Land, which bounds it on the Northerly, Easterly & Southerly sides & is the same Lot of Land conveyed by James Gartside to the present grantor by deed dated May 24, A. D. 1854 & recorded in Book 136 page 457 of the Records of Deeds in the City of Providence.

[*Deed Book No. 138, page 325.*]

[**September 18, 1854.**] City of Providence to Monthly Meeting of Friends—$1830.98—Conveyance. A lot of land in the Ancient Public Burying Ground, called the North Burying Ground in the City

of Prov. which Lot is not numbered in a Plat of said Burying Ground Lots in the Book of Records of Deeds of North Burying Ground Lots" in the Office of the City Clerk in said Providence. Said Lot containing forty five thousand seven hundred seventy four & one half square feet, situated in the Westerly part of said North Burying Ground near the Smithfield Turnpike Road in the City of Providence bounded Southerly by Ivy Avenue, Easterly by Lawn Avenue, North by Vine Avenue & Westerly by Friends Avenue. [*Deed Book No. 137, page 314.*]

[**September 18, 1854.**] In Convention Sept. 18, 1854.

Edward P. Knowles.
Zachariah Allen.
William S. Patten.
} appointed Commissioners of North Burying Ground.

[*City Council Records No. 3, page 452.*]

[**February 12, 1855.**] Resolved That the Commissioners of the North Burying Ground be and they are hereby authorized to sell and convey to Joseph Whelden the strip of land which has recently been the subject of dispute in the case Joseph Whelden vs Philip W. Martin and that in case said Commissioners and said Whelden are unable to agree upon the amount of purchase money therefore said Commissioners are hereby authorized to unite with said Whelden in submitting said question to arbitration

Passed Feby 12, 1855.

Approved
E. P. Knowles Mayor.

[*City Council Records No. 3, page 477.*]

[**June 4, 1855.**] The Report of the Committee of the Superintendent of the North Burial Ground for the year ending this day

Total amt fees $640.75

Read Whereupon it is ordered that the same be received

Approved James Y. Smith
Mayor

Passed June 4, 1855.

[*City Council Records No. 3, page 503.*]

[**June 4, 1855.**] The Report of the Commissioners of the North Burial Ground

Balance of account for Expenditures $411.79

Read Whereupon it is ordered that the same be received.

Passed June 4, 1855.

Approved James Y. Smith
Mayor.

[*City Council Records No. 3, page 504.*]

[**December 21, 1855.**] An Ordinance in relation to Undertakers and to the Interment of the dead.

It is ordained by the City Council of the City of Providence as follows: —

Section 1. There shall be appointed by the City Council a sufficient number of persons to act as undertakers removable at the pleasure of the city council

Sect. 2. Whenever any person shall die in this city it shall be the duty of the physician attending in his or her last sickness to furnish within forty eight hours after the death, to the undertaker attending the funeral, or to the city registrar, a certificate, giving the name of the person, the date of death, and the disease or cause of his or her death.

Sec. 3. Every physician omitting or refusing to furnish such certificate as aforesaid shall forfeit and pay the sum of five dollars for each offence.

Sec. 4. No undertaker or any person shall bury the body of any person dying in this City or remove the body of any person so dying from the city or deposit the body of any person so dying in a tomb without first obtaining the certificate of the physician as aforesaid or a permit from the City Registrar In case any person shall die without the attendance of a physician or if the physician shall refuse to give a certificate as aforesaid it shall be the duty of the undertaker or other

person to report the facts to the City Registrar, before attending the funeral of such person, when he shall be entitled to receive a permit for the burial of such person.

Sect. 5. Every undertaker or other person in said city who shall conduct any funeral or bury the body of any dead person or remove such body from the city, or deposit the same in a tomb shall make a return to the City Registrar between the hours of eleven o'clk A. M. and one o'clock P. M. on Monday of each and every week of all interments made and funerals conducted by him of persons who shall have died during the week ending at noon of the Saturday next preceding— These returns shall truly give the following facts concerning each person so dying: viz: 1. The date of death. 2. The name 3. The age 4. The street and number where the person died if in the city and the name of the town if out of the city. 5. The ward if in the City. 6. The sex. 7. The color. 8. The condition. 9. The occupation. 10. The place of birth. 11. The fathers name. 12. The mothers name. 13. The parentage 14. The place where the body is to be buried, and also the physicians certificate for each person except those otherwise provided for in the preceding section.

Sect. 6. In case of the prevalence of any epidemic disease or when it shall seem necessary for the interests of the public health, the Board of Health shall have power to require more frequent return of deaths and also such additional information, as they may think proper.

Sect. 7. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Sect. 8. Every undertaker who shall omit or refuse to furnish any certificate or return as aforesaid or who shall violate any provision of the 4th, 5th, 6th or 7th sections of this ordinance shall forfeit and pay the sum of ten dollars for each offence.

Sect. 9. The city registrar shall cause an abstract of the returns of death made to him to be published in all the newspapers which contract to do the city printing, monthly, and oftener if required by the board of health. He shall also during the months of January or February annually, prepare and present to the city council a statement of the number of births, of marriages solemnized and of deaths which occurred in the city during the year ending with the thirty-first day of December next preceding, with such other information and suggestions in relation thereto as he may deem useful for the promotion of the public health, and other interests of the city.

Sect. 10. The board of health is hereby authorized to employ a person or persons semi-annually in the months of July and January to collect the facts required by the laws of the state concerning all births which may have occurred in the city during the six months preceding the first day of the months above named, provided that the expense thereof shall not exceed the sum of two hundred dollars annually.

Sect. 11. Any person other than an Undertaker who shall manage and conduct a funeral, or inter or remove from the city a dead body or deposit such dead body, in a tomb shall first obtain permission from the board of health or from the City Registrar, and shall be subject to all the requirements contained in this ordinance in relation to undertakers, and for every neglect or refusal to obtain such permission or to comply with such requirements shall forfeit and pay the sum of ten dollars.

Sect. 12. No undertaker or other person shall bury or cause to be buried the body of any deceased person in this city, except in such grounds as are now known and used as burying grounds or such as shall hereafter be by the city council designated as burying grounds and authorized to be used as such and every person violating this section of this ordinance shall forfeit and pay the sum of twenty dollars for each offence.

Sect. 13. The ordinance entitled "An Ordinance in relation to the interment of the dead is hereby repealed.

Sect. 14. This ordinance shall take effect on and after the first day of January A. D. 1856.

Passed December 21st 1855.

Approved

J. Y. Smith Mayor.

[*Ordinance Book No. 2, page 97, City Clerk's Office, Providence.*]

[**June 16, 1856.**] The Commissioners of the North Burying Ground in conformity with law make this their Second Annual Report Read Whereupon it is ordered that the same be received

Passed June 16, 1856.

Approved J. Y. Smith Mayor.

[*City Council Records No. 4, page 88.*]

[**September 8, 1856.**] The Superintendent of the North Burying Ground makes his Annual Report which is Read whereupon it is Ordered that the same be received and referred to the standing Committee on the North Burial Ground

Passed Sept. 8 1856.

Approved

J. Y. Smith Mayor.

[*City Council Records No. 4, page 100.*]

[**September 22, 1856.**] Ordered That the Report of the Superintendent of the North Burial Ground this day (8th Sept) made to the City Council be referred to the Standing Committee on the North Burial Ground

Passed Sept. 22, 1856.

Approved J. Y. Smith Mayor.

[*City Council Records No. 4, page 105.*]

Monument to Edward Peck Knowles
Mayor of the City of Providence 1854–5.

[**November 10, 1856.**] An Ordinance in amendment of "An Ordinance in relation to the North Burying Ground"

(See Ordinance Book No 2 Page 105)

Passed Nov 10, 1856.

Approved J. Y. Smith

Mayor.

[*City Council Records No. 4, page 110.*]

[**November 10, 1856.**] An Ordinance in amendment of "An Ordinance in relation to the North Burying Ground"

It is ordained by the City Council of the City of Providence as follows

Section 1. The first section of the ordinance of which this ordinance is in amendment is and the same is hereby repealed and the property therein described and authorized to be leased by the city treasurer be and the same is hereby transferred and appropriated to the North Burying Ground for the use thereof under the care and direction of the commissioners and of the Superintendent of the North Burying Ground as part thereof

Passed Nov. 10, 1856.

Approved J. Y. Smith Mayor.

[*Ordinance Book No. 2, page 105, City Clerk's Office, Providence.*]

[**June 1, 1857.**] The Superintendent of the North Burial Ground makes Report which is read

Whereupon it is ordered that the same be received.

Passed June 1, 1857.

Approved J Y. Smith Mayor.

[*City Council Records No. 4, page 151.*]

[**June 15, 1857.**] The Commissioners of the North Burying Ground in Conformity with Law make this their Third annual report

Read whereupon it is ordered that the same be received

Passed June 15, 1857.

Approved J. Y. Smith Mayor.

[*City Council Records No. 4, page 158.*]

[**June 29, 1857.**] To the Honorable

The City Council of the City of Providence

The Commissioners on the North Burying Ground Respectfully Represent

That for some years past the City Authorities have taken gravel for the use of the Highways from the North Burying Ground near the South Westerly line on the Smithfield Turnpike until they have made a pit too deep to be longer worked which has been abandoned leaving a deep rough and unsightly excavation in plain view of two public roads

As the Surveyor of highways is at work near the place & having a large quantity of earth which can be conveniently used to fill up that excavation the Commissioners respectfully request the City Council to instruct the Surveyor of Highways or other proper authority to cause the excavation to be filled up during the present Summer.

Wm S. Patten,

for the Commissioners.

Providence June 29, 1857.

Read whereupon it is resolved that the same be received and referred to the Standing Committee on Highways with authority to cause the pit to be immediately filled up if they deem it expedient and with instructions to report at the next meeting of the City Council

Passed June 29, 1857.

Approved

Wm M. Rodman Mayor.

[*City Council Records No. 4, page 162.*]

[**July 1, 1857—in effect.**] Chapter 73. Of Nuisances.

Sec. 8. Town councils of the several towns shall have power to prohibit burials in the compact or thickly populated parts of any town, and to make such by-laws and ordinances relating to the same, and the use of grounds for burials in such localities as they may think necessary for preserving the health of such neighborhood, and to enforce such ordinances in the manner provided in the first and second sections of this chapter. [*General Laws of Rhode Island. Ed. 1857, Chapter 73. Ed. 1882, Chapter 79. See act of May 2, 1884, and extract from General Laws in effect February 1, 1896.*]

[**September 14, 1857.**] Resolved That the City Treasurer be and he is hereby directed to make a Deed of the following described Lot in the North Burying Ground to "The Home for Age Women" viz Lot situated on the East side of Pine Avenue bounded 65 feet on Willow Avenue then running southerly 103 feet to an Avenue leading from Ridge to Pine Avenue on which it measures 46 feet bounded on the east by a two foot path dividing the said Lot from a row of Lots fronting on Ridge Avenue Containing 4665 feet

Passed Sept 14, 1857.

Approved

W. M. Rodman

Mayor.

[*City Council Records No. 4, page 179.*]

[**April 26, 1858.**] The Commissioners of the North Burying Ground make their Fourth Annual Report Read Whereupon it is resolved that the same be received

Passed April 26, 1858.

Approved

Jabez C. Knight President pro tem Board of Alderman

[*City Council Records No. 4, page 219.*]

[**June 7, 1858.**] The Superintendent of the North Burying Ground makes his annual Report

Read whereupon it is ordered that the same be received

Passed June 7, 1858.

Approved W. M. Rodman
Mayor.

[*City Council Records No. 4, page 227.*]

[**June 6, 1859.**] The Superintendent of the North Burying Ground makes his Annual Report

Amt received $602.50

Read whereupon it is ordered that the same be received

Passed June 6, 1859.

Approved
Jabez C. Knight Mayor.

[*City Council Records No. 4, page 283.*]

[**June 6, 1859.**] The Commissioners of the North Burying Ground make their Annual Report.

Receipts for year ending Apl 30/59		1507.77
Expenditures Do Do		1412.18
Balance to new ac.		$95.59
Lots sold	$1217.73	
Rents	290.04	1507.77

Read whereupon it is ordered that the same be received.

Passed June 6, 1859.

Approved Jabez C. Knight
Mayor.

[*City Council Records No. 4, page 284.*]

[**June 11, 1860.**] To the Hon the City Council of the City of Providence

The Superintendent of the North Burying Ground in conformity with Law makes his annual Report for the year ending June 1 1860

Rec'd for Interments	$603.50
" " Certificates	103.00
	$706.50

Nathan Smalley Supt.

Read whereupon it is ordered that the same be received

Passed June 11, 1860.

Approved

Jabez C. Knight

Mayor.

[*City Council Records No. 4, page 353.*]

[**March 8, 1861.**] Chapter 367.

An Act in Relation to the North Burial Ground in the City of Providence.

It is enacted by the General Assembly as follows:

Section 1. Any person may by deed or will give bequeath or devise to the commissioners for the time being of the North Burial Ground, in the city of Providence, and their successors in office, any property or estate real or personal, to be applied to the improvement of any burial lot, or the construction of a monument or other structure for a memorial to the dead in said ground, or for the purpose of constituting a fund to be held in perpetual trust; so that the income thereof may be applied continually for the preservation and care of any such burial lot or monumental structures therein, as in and by such deed or will may be directed or declared to be the object of the creation of such trust.

Sect. 2. In every case of such gift, bequest or devise, the property so given, bequeathed or devised, shall, upon the execution of such deed,

or upon probate of the will containing the same, and the acceptance thereof by the city council of the city of Providence hereinafter provided for, vest in the commissioners for the time being of said North Burial Ground, and shall pass from time to time to their successors in office, as the same are appointed and qualified; and shall not be subject to the general laws of descent or distribution: provided, that nothing in this act contained shall be construed to exempt any such estate or property so bequeathed or devised from being taken and applied for the payment of the debts of the person so settling the same, in case the other estate or property held by any such testator at the time of his decease shall be insufficient therefor, in the same manner as if this act had not been passed; and provided, also, that no such deed or gift, devise or bequest, shall take effect until accepted by a vote of the city council of said city of Providence.

Sect. 3. If the value of any such gift, devise or bequest, or the annual income thereof, shall exceed the cost of the expenditures by said commissioners in the faithful execution of the conditions and directions for the use and appropriation thereof, the surplus, if any, shall be applied by said commissioners to the general improvement and preservation of the fences, avenues, trees and shrubbery of said North Burial Ground.

Sect. 4. Said commissioners shall keep regular accounts of the capital, income and annual disbursements of each of said trust estates and property, and shall attend to the secure investment of the same, with power to sell and reinvest from time to time, in their discretion; and once in each and every year shall make a detailed statement of said accounts to the municipal court of said city, showing the amounts expended and the balances remaining on hand of the several trust funds. And on rendering such accounts annually, the said court shall charge the usual fees on the accounts as in other cases; but no emolument shall be paid to said commissioners for performing the duties contemplated by this act.

Sect. 5. This act shall be subject to all future acts of the general assembly in amendment or repeal thereof. [*Acts of General Assembly, January Session, 1861, page 130. Amendments passed February 6, 1863, March 16, 1865, April 25, 1889 and May 25, 1895.*]

[**April 8, 1861.**] Upon the petition of Joseph Veazie of Providence praying acceptance by the City Council of a certain deed

Voted that the Deed of gift executed by Joseph Veazie bearing date Apr 8 1861 conveying to the Commissioners of the North Burial Ground and their successors in office ten shares of the Capital Stock of the Boston and Providence Railroad Corporation to be held in perpetual trust under the provisions of the "Act in relation to the North Burial Ground in the City of Providence" passed by the General Assembly at its January session A. D. 1861 be and hereby is accepted by this council.

Passed April 8, 1861.

Approved

Jabez C. Knight,

Mayor.

[*City Council Records No. 4, pages 400-1.*]

[**June 3, 1861.**] To the Hon. the City Council of the City of Providence

The Superintendent of the North Burial Ground in conformity with law makes this his Annual Report

Received for digging graves	485.50
" " Certificates of Lots	32.00
	517.50

Read whereupon it is ordered that the same be received

Passed June 3, 1861

Approved

Jabez C. Knight,

Mayor.

[*City Council Records No. 4, page 409.*]

[**June 14, 1861.**] The Commissioners of the North Burial Ground make their annual report.

Read, whereupon it is ordered that the same be received.

Passed June 14, 1861.

Approved

Jabez C. Knight, Mayor.

[*City Council Records No. 4, page 417.*]

[**January Session, 1862.**] Chapter 399

An Act in addition to chapter 151 of the Revised Statutes—"Of the Jurisdiction of Court of Probate and of License to sell Real Estate."

Section 3. Courts of Probate may authorize and empower guardians appointed or approved by them to exchange any lot of their wards in any burial ground or cemetery within this state or any right or interest of their wards in any such lot, burial ground or cemetery for any other lot, right or interest in the same, in any other burial ground or cemetery, upon such terms and conditions as said courts may prescribe; provided that in all such exchanges the title of the lot, right or interest taken in exchange shall be taken in the name or names of the ward or wards whose lot right or interest is given in exchange. [*Acts of General Assembly, January Session, 1862, page 198. Ed. 1882, chapter 179. See extract from General Laws, in effect February 1, 1896.*]

[**March 10, 1862.**] Resolved That the "Webb Monument Association" be and they are hereby authorized to locate and erect their monument in the North Burial Ground up on the oval lot in the centre of group No 10 as delineated upon the Map of the North Burial Ground now in the office of the City Clerk; provided that said lot be surrounded by a path not less than eight feet in width and that the work be approved by the Commissioners of the North Burial Ground. Resolved That the City Treasurer be and he is hereby directed to issue to the

Webb Monument Association up the completion of said Monument a deed of said lot without charge.

Passed March 10, 1862.

Approved

Jabez C. Knight

Rescinded October 13, 1862.

[*City Council Records No. 4, page 461.*]

[**March 12, 1862.**] To the Hon City Council of the City of Providence.

The Commissioners of the North Burying Ground Report For the year ending 30 1862

The grading of Avenues and groups has cost		$985.42
Trees shrubs and other necessary improvements		105.83
Repairs of Fences and house		11.07
		$1102.32
The Superintendent has collected for Rents of		
Cox & Nichols estates	$140.00	
Rent of Tomb	56.72	
Poundage	9.25	
A. Potter	3.60	$209.57
		$892.75

For which sum orders have been drawn from time to time upon the City Treasurer The money has been expended as will appear by the accounts on file for the improvement and protection of the grounds avenues and fences

During the same period the City Treasurer has received for lots sold $1243.81

leaving an unexpended balance $351.06

The attention of the Committee having been called to certain encroachments on Sexton Street they found upon examination that it was a matter not within their Jurisdiction which fact was communicated in writing to the Mayor.

Providence May 10, 1862

Z. Allen, Henry L. Bowen, Jos. F. Gilmore } Commissioners of the North Burying Ground.

Read whereupon it is ordered that the same be received

Passed May 12, 1862.

Approved Jabez C. Knight Mayor.

[*City Council Records No. 4, pages 469-70.*]

[**June 2, 1862.**] The Superintendent of the North Burying Ground in conformity with law makes this his annual Report

Amount received for interment from June 1/61 to June 1/62	$511.00
Amount received for sale of lots	
Superintendents fees	31.00
	$542.00

Providence June 2 1862.

Nathan Smalley Sup't

Read: whereupon it is ordered that the same be received

Passed June 2, 1862.

Approved

Jabez C. Knight Mayor.

[*City Council Records No. 4, page 475.*]

[**October 13, 1862.**] Upon the Petition of the Webb Monument Association it is

Resolved that the City Treasurer be and he is hereby directed to convey by deed to the Grand Master of the Grand Lodge of Free and accepted Masons of the State of Rhode Island and his successors in

said office the circular lot in the North Burial Ground whereon the monument of Thomas Smith Webb now stands.

Resolved

That the Resolutions heretofore passed by the City Council directing a deed of said lot to be made to the "Webb Monument Association" be and the same is hereby rescinded.

Passed October 13, 1862.

Approved

Jabez C. Knight Mayor.

[*City Council Records No. 4, page 519.*]

[**December 2, 1862.**] Resolved That the Joint Standing Committee on City Property be directed to inquire into the subject of a dispute between the City and Joseph Whelden in regard to the line of land on Sexton street and report the facts to the City Council

Passed Dec 2/1862

Approved Jabez C. Knight Mayor.

[*City Council Records No. 4, page 526.*]

[**December 11, 1862.**] The Committee on City Property who were directed by the City Council Dec. 26 to inquire into the subject of a dispute between the City and Joseph Whelden in regard to the line of land on Sexton Street Report That the land in question was in litigation for some years it being understood by Mr Burgess then Mayor of the City and others that upon a decision of the question involved the title to other land in the neighborhood depended a verdict was obtained against Mr Whelden Where upon he claimed a new trial under the statute, but before the case was reached, the counsel for the City were informed that the case had been adjusted and nothing has been done about it since The Committee learn that the case was contested at much expense to the City and from the information given them are of

opinion that the matter should be referred to the City Solicitor for him to report such action as he shall deem proper.

Providence December 8, 1862

Philip Case for the Committee

Resolved

That the subject of dispute in regard to the line of land between the City and Joseph Whelden be referred to the City Solicitor to report such action as he may deem proper

Passed December 8, 1862

Approved Dec. 11, 1862

Jabez C. Knight

Mayor.

[*City Council Records No. 4, page 530.*]

[**January 13, 1863.**] Resolved:—That the Committee on the North Burial Ground be instructed to inquire why the Commissioners of the North Burial Ground have not for the last two years made "a detailed statement of their accounts to the Municipal Court of this City, showing the amounts expended and the balances remaining on hand of the several trust funds" as required by the Act of the General Assembly passed at its January session A. D. 1861.

Passed January 12, 1863.

Approved January 13 1863.

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 1.*]

[**February 6, 1863.**] Chapter 466.

An Act in Amendment of Chapter 367 "Of an Act in Relation to the North Burial Ground in the city of Providence" Passed January Session A. D. 1861.

It is enacted by the General Assembly as follows.

Section 1. Section 4 of said act is hereby amended by inserting after the words "their discretion" in the fifth line of said Section, the words "with the approval of the board of aldermen of said city of Providence"

Section 2. So much of said act to which this is in amendment, as is inconsistent herewith, is hereby repealed. [*Acts of General Assembly, January Session, 1863, page 208. Original act passed March 8, 1861—Amended March 16, 1865, April 25, 1889 and May 25, 1895.*]

[**February 11, 1863.**] Report of Committee on North Burying Ground.

The Standing Committee on the North Burial Ground respectfully Report

That in pursuance of a Resolution passed at the last meeting of the City Council, they have examined into the Conditions of the trust funds connected with the North Burial Ground and have received a report thereon from the Commissioners of the North Burial Ground, which is herewith submitted

Report of the Commissioners.

"To the Hon. City Council

At the last meeting of the City Council the following Resolution was passed (See City Council Records No 5, page 1.)

To this Resolution the Commissioners of the North Burial Ground would respectfully reply: that "for the last two years they have not made a detailed statement of their accounts to the Municipal Court" for the reason that no accounts of any description had accrued prior to April 21st 1862. Their charge as Trustees did not commence untill that day. The Annual Report therefore is not due before April 21, 1863. A report however has been made, which report is on file in the Municipal Court.

The Commissioners are not ignorant of the time prescribed for them to present an annual statement of receipts and disbursements. The services enjoined upon them which are gratuitous, they have intended to discharge with commendable dilligence.

It is not nine months since they received the first income from any trust fund: and they feel that they ought not to be arraigned for a dereliction of duty embracing a period of two years. A charge unjust and ungenerous the City Council have recorded against the Commissioners without a solitary fact to sustain it. If it is to remain as a permanent record, self respect will prompt us no longer to retain our trust.

January 20, 1863

Joseph F. Gilmore
Zachariah Allen
Henry L. Bowen
} Trustees

Read: whereupon is is ordered that the same be received

Passed February 9, 1863

Approved February 11, 1863

Jabez C. Knight Mayor.

[*City Council Records No. 5, pages 8 & 9.*]

[**February 11, 1863.**] Resolved:—

That the City Council are fully satisfied that the management of the several trust funds connected with the North Burying Ground, is in good hands; and that the City is indebted to the Commissioners for the interest they have taken and the labor they have performed without pay for improving and beautifying the grounds.

Passed February 9, 1863.

Approved February 11, 1863

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 9.*]

[**February 11, 1863.**] Resolved :—

That the deed of gift executed by Phebe Whipple, bearing date April 5th, 1862 conveying to the Commissioners of the North Burial Ground and their successors in office, the sum of one hundred dollars in perpetual trust, the income thereof to be applied for the preservation and care of the burial lot belonging to her family, under the provisions of the Act in relation to the North Burial Ground in the City of Providence passed by the General Assembly at its January session A. D. 1861, be and is hereby accepted by the City Council.

Resolved :—

That the Deed of gift executed by Zachariah Allen bearing date May 13, 1861 conveying to the Commissioners of the North Burial Ground and their successors in said office, the sum of forty three 66/100 Dollars, being a residuary balance in his hands of a fund originally subscribed by himself and others, the income of which is to be applied continually for the preservation and care of said burial ground generally, to be held in perpetual trust under the provisions of the Act in relation to the North Burial Ground in the City of Providence, passed by the General Assembly at its January Session, A. D. 1861 : be and is hereby accepted by the City Council.

Passed February 9 1863

Approved February 11, 1863
Jabez C. Knight Mayor.
[*City Council Records No. 5, page 12.*]

[**April 15, 1863.**] Resolved :—

That the City Treasurer be requested to give Namon Miller & Jeremiah H. Miller a deed of lot No 156 in group No 20 in North

Burial Ground as per certificate given Oct. 29, 1862 by Nathan Smalley Superintendent of said ground for the sum of forty one 25/100 Dollars paid to the late City Treasurer, and no account of said money appearing on his books; upon the affidavit of said Nathan Smalley that he paid said money over to the late City Treasurer.

Passed April 13, 1863.

Approved April 15, 1863.

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 25.*]

[**May 12, 1863.**] Annual Report of the Commissioners of the North Burial Ground:—

To the Hon. City Council of the City of Providence

The Commissioners of the North Burying Ground Respectfully Report For the year ending April 30 1863 they have expended eighteen hundred and 21/100 Dollars.

On Avenues	$666.12	
Grading Groups	414.24	
Cistern and Cottage	139.00	
On Cox estate	557.28	
" Superintendants house	5.57	
" Bridge and clearing Snow	11.50	$1800.21

Credit.

Orders on City Treasurer	$1517.03	
Rent of Tomb	65.99	
Poundage	7.25	
Trees	14.11	
Rents of Nichols and Cox estates	50.01	$1654.39

The sum of $557.28 expended on cistern and cottage is a permanent improvement. The City Treasurer has received for sale of lots $1044.62 : other receipts as above stated $137.76

Henry L. Bowen
Joseph F. Gilmore } Commissioners.

Read whereupon it is ordered that the same be received.

Passed May 11, 1863.

Approved May 12, 1863,

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 36.*]

[**June 2, 1863.**] Annual Report of the Superintendant of the North Burial Ground.

To the Hon. the City Council of the City of Providence.

The Superintendant of the North Burying Ground in conformity with law makes his annual report.

Received for interments from June 1, 1862 to June 1, 1863	$518.80
Received for fees on sales of lots	42.00
	560.80

Providence June 1, 1863.

N. Smalley Superintendent

Read : whereupon it is ordered that the same be received

Passed June 1, 1863

Approved June 2, 1863,

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 52.*]

[**January 12, 1864.**] Resolved

That the gift of Rebecca M. Gladding to the Commissioners of the North Burying Ground, of the sum of one hundred dollars, in trust : the income thereof to be applied under the provisions of Chapter 367. of

the Revised Statutes, to the preservation and care of the lot in said ground conveyed to George F. Gladding:—be and the same is hereby accepted by the City Council.

Passed January 11, 1864.

Approved January 12, 1864.

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 118.*]

[**February 9, 1864.**] Resolved: That the gift of John Barstow to the Commissioners of the North Burying Ground of the sum of one hundred dollars in trust the income thereof to be applied under the provisions of Chapter 367. of the Revised Statutes, to the preservation & care of the lot in said ground conveyed to said Barstow and others, be and the same is hereby accepted by the City Council.

Passed February 8, 1864.

Approved February 9, 1864.

Jabez C. Knight Mayor.

[*City Council Records No. 5, page 128.*]

[**May 11, 1864.**] Annual Report of the Commissioners of the North Burying Ground.—

The Commissioners of the North Burying Ground Respectfully Report:—The grounds avenues and fences to be in good condition. For the improvement and protection of the same during the last year they have expended the sum of two thousand ninety four dollars and 63/100 For an exact account thereof they refer to the accounts on file

Providence May 26, 1864. Zachariah Allen, Henry L. Bowen } Commissioners

To the Hon. City Council

Read:—whereupon is ordered that the same be received

Passed May 9, 1864.

Approved May 11, 1864.

Jabez C Knight Mayor.

[*City Council Records No. 5, page 143.*]

[**June 6, 1864.**] Annual Report of the Superintendent of the North Burying Ground.

To the Hon. the City Council of the City of Providence

The Superintendent of the North Burying Ground in conformity with law makes this his annual Report from June 1, 1863 to June 1, 1864.

Amount received for interments	$632.00
Amount received for sale of lots	69.00
	$701.00

N. Smalley Superintendent

Read whereupon it is ordered that the same be received

Passed June 6, 1864. Approved Thomas A. Doyle Mayor.

[*City Council Records No. 5, pages 152-3.*]

[**June 6, 1864.**] Resolved:—

That the Joint Committee who were appointed to cause the Mayors Address to be printed be and they are hereby directed to cause to be printed

The annual report of the Commissioners of the North Burying Ground made May 9 '64.

The Annual Report of the Superintendent of the North Burying Ground and * * * *

[*City Council Records No. 5, page 156.*]

[**July 11, 1864.**] Resolved:—

That the gift of Ferdinand F. Balkcom of North Providence, to the Commissioners of the North Burying Ground, of the sum of one hundred dollars in trust the income thereof to be applied under the provisions of Chapter 367 of the Revised Statutes, to the preservation and

care of the lot conveyed to him by deed dated October 4, 1861 be and the same is hereby accepted by the City Council.

Passed July 11, 1864.

Approved Thomas A. Doyle Mayor.

[*City Council Records No. 5, pages 175-6.*]

[**August 8, 1864.**] An Ordinance in relation to the registration of deaths and the Interment of the dead.

It is ordained by the City Council of the City of Providence as follows.

Section 1. There shall be appointed by the city council a sufficient number of persons to act as undertakers, removable at the pleasure of the city council.

Sect. 2. Whenever any person shall die in the city it shall be the duty of the physician attending in his or her last sickness upon application to furnish to the undertaker attending the funeral, or to the city registrar, a certificate, giving the name of the person, date of death, and the disease or cause of his or her death.

Sect. 3. Every physician omitting or refusing to furnish such certificate as aforesaid shall forfeit and pay the sum of five dollars for each offence.

Sect. 4. No person shall bury, or place in a tomb or remove from the city, or otherwise dispose of the body of any human being who shall die in the city, without first reporting the death to the city registrar, and obtaining a permit from him under a penalty of not less than five nor more than twenty dollars for each and every offense.

Sect. 5. No permit shall be given, as provided in section four until the city registrar is furnished with the information in relation to the deceased person, required by the laws of the state, for record, so far as the same can be ascertained, together with the physician's certificate of the cause of death, whenever a physician has been in attendance or a coroner's certificate, whenever a coroner's inquest has been held.

Whenever a permit for burial is applied for, in a case of death without the attendance of a physician, or if it is impossible to obtain the physician's certificate it shall be the duty of the city registrar to investigate the case so far as may be necessary, and when he has obtained satisfactory evidence in relation to the cause and circumstances of the death, he shall sign the certificate and give the required permit If not satisfied in relation to the cause and circumstances of the death, or if, in his opinion, the public good requires it, he shall report the case to a coroner for investigation.

Sect. 6. Whenever the body of a human being who has died out of the city shall be brought here for burial it shall be the duty of the undertaker or other person attending the funeral to furnish the report required in sections four (4) and five (5) with the exception of the physician's certificate and in case of neglect or failure so to do such person shall forfeit and pay not less than five dollars nor more than twenty dollars for each and every offense.

Sect. 7. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Sect. 8. The city registrar shall cause an abstract of the returns of death made to him to be published in all the newspapers which contract to do the city printing, monthly, and oftener if required by the board of health. He shall also, on or before the first day of April, annually, prepare and present to the city council a statement of the number of births, of marriages solemnized, and of deaths which occurred in the city during the year ending with the thirty-first day of December next preceding, with such other information and suggestions in relation thereto as he may deem useful for the promotion of the public health, and other interests of the city.

Sect. 9. No undertaker or other person shall bury or cause to be buried the body of any deceased person in this city except in such grounds as are now known and used as burying grounds or such as shall hereafter be by the city council designated as burying grounds, and authorized to be used as such and every person violating this section of this ordinance shall forfeit and pay the sum of not less than five dollars nor more than twenty dollars for each offence.

Sect. 10. The ordinance passed in December 1855 entitled "An Ordinance in relation to undertakers and the interment of the dead" and all other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Passed August 8, 1864.
Approved Thomas A. Doyle.
Mayor.

[*Ordinance Book No. 2, page 181, City Clerk's Office, Providence.*]

[**November 15, 1864.**] Resolved:

That the gift of Stephen Randall of North Providence, to the Commissioners of the North Burying Ground, of the sum of one hundred dollars, in trust, the income thereof to be applied under the provisions of Chapter 367 of the Revised Statutes to the preservation and care of the lot of said Randall in the North Burying Ground: be and the same is hereby accepted by the City Council.

Passed November 14 1864.

Approved November 15, 1864.
Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 223.*]

[**March 16, 1865.**] Chapter 572

An Act in Amendment of Chapter 367 "of an act in Relation to the North Burial Ground of the City of Providence" passed January Session A. D. 1861.

It is enacted by the General Assembly as follows:

Section 1. The accounts required by section four (4) of said act, to be submitted to the municipal court of the city of Providence shall hereafter be submitted to the City Council of said City, at such time and in such form as said City Council may from time to time prescribe.

Sec. 2. So much of said section four (4) of said act to which this is in amendment, as is inconsistent herewith is hereby repealed.

[*Acts of General Assembly January Session, 1865, page 203. Original act passed March 8, 1861. Amendments February 6, 1863, April 25, 1889 and May 25, 1895.*]

[**June 8, 1865.**] Annual Report of the Commissioners of the North Burying Ground.

To the Hon. City Council of the City of Providence

The Commissioners of the North Burying Ground in conformity with law, make this their Annual Report for the year ending April 1, 1865.

Report.

First: The amount expended for and on account North Burying Ground for the past year is $2005.10

Second: The general purpose of the expenditure were for surveying and grading lots, beautifying the ground and gravelling the avenues per account rendered $2005.10 Paid as follows

Orders on the City Treasurer	$1830.34
Miscellaneous receipts	174.76
	$2005.10

Providence May 1865

Respectfully submitted

Wm Earle For Commissioners

Report of Trust Funds. North Burying Ground

Received from	Jos Veazie	fund	$11.60	Expended	$11.60
"	" Phebe Whipple	"	5.40	"	5.40
"	" R. M. Gladding	"	2.90	"	2.90
"	" John Barstow	"	2.00	"	2.00
"	" F. Balkcom	"	——		——
"	" Stephen Randall	"	——		——
		Unexpended interest.			$21.90

Joseph Veazie	Balance in Bank	248.78
Phebe Whipple	" " "	6.33
Rebecca M. Gladding	" " "	3.10
John Barstow	" " "	2.50
		253.71

Trust Funds invested as follows

Joseph Veazie	10 shares Boston & Prov. R. R. par value $100 per share	$1000.00
Phebe Whipple	deposited in Prov. Inst. for Savings on Interest	100.00
Rebecca M. Gladding	Do.	100.00
John Barstow	Do.	100.00
Ferdinand Balcom	Do.	100.00
Stephen Randall	Do.	100.00
Zachariah Allen	Do.	43.66
		$1543.66

Read: Whereupon it is ordered that the same be received

In Common Council passed May 8, 1865.

" Board of Aldermen " June 5, 1865.

Approved June 8, 1865.

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 275.*]

[**June 12, 1865.**] Resolved—

That the gift of Alexander Duncan, to the Commissioners of the North Burying Ground of the sum of one thousand dollars, in trust, the income thereof to be applied under the provisions of chapter 367 of the Revised Statutes to the preservation and care of the lots of said Duncan in the North Burying Ground be and the same is hereby accepted by the City Council.

Passed June 12, 1865.

Approved the same day,
Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 279.*]

[**June 12, 1865.**] Annual Report of the Superintendent of the North Burying Ground.

To the Hon City Council of the City of Providence

The Superintendent of the North Burying Ground in conformity with law makes this his annual report from June 1, 1864 to June 1, 1865.

Amount received for interments,	$677.00
" " " sale of lots,	84.00
	$761.00

N. Smalley Superintendent

Read: whereupon it is ordered that the same be received

Passed June 12, 1865

Approved the same day,
Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 282.*]

[**January 8, 1866.**] Resolved:—

That the Standing Committee on the North Burying Ground be and they are hereby directed to enquire and ascertain upon what terms the Randall Farm, (so called) containing about thirty acres and adjoining

the North Burying Ground on the north, can be obtained for burial purposes; and to report thereon to the City Council.

Passed January 8, 1866.

Approved the same day,

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 337.*]

[**March 12, 1866.**] Resolved:—

That the bequest of Elizabeth Coville to the Commissioners of the North Burying Ground of eight shares in the Blackstone Canal National Bank, par value $25 each in trust, the income thereof to be applied under the provisions of Chapter 367 of the Revised Statutes to the preservation and care of the lot in the North Burying Ground conveyed to Elizabeth and Esther Coville by deed recorded in Book 4 page 213 of the records of deeds in said ground be and the same is hereby accepted by the City Council.

Passed March 12, 1866

Approved the same day,

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 356.*]

[**May 14, 1866.**] Annual Report of the Commissioners of the North Burying Ground.

To the Hon. the City Council of the City of Providence—

The Commissioners of the North Burying Ground in conformity with law make this their annual report of receipts and expenditures for the year ending April 30, 1866.

Report.

First. The amount expended for and on account of North Burying Ground for the past year is $2450.06

Second. The general purposes of the expenditures were for surveying grading lots beautifying the ground and gravelling the avenues per accounts rendered $2450.06

Third. Paid as follows orders on City

Treasurer for	2136.54	
Miscellaneous receipts	313.52	$2450.06

respectfully submitted

William Earle for Commissioners

Read: whereupon it is ordered that the same be received

Passed May 14, 1866.

Approved the same day,

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 372.*]

[**June 4, 1866.**] For the Annual Report of the Superintendent of the North Burying Ground see City Council Records No 5 page 387-388.

[*City Council Records No. 5, pages 387-8.*]

[**June 4, 1866.**] Resolved:—

That the Joint Committee who were appointed to cause the Mayor's Address to be printed be and they are hereby authorized to cause to be printed

The Annual Report of the Commissioners of the North Burying Ground (made May 14, 1866)

The Annual Report of the Superintendent of the North Burying Ground.

[*City Council Records No. 5, page 390.*]

[**July 9, 1866.**] Report of the Standing Committee on the North Burying Ground.

The Standing Committee on the North Burial Ground who were instructed by resolutions to ascertain the best terms the heirs of Wil-

liam Randall and John Carter Brown would sell to the City land adjoining said Burial Ground Northerly and easterly Respectfully Report.

That they entered into the following agreement with said heirs of William Randall to ascertain a fair valuation of said Farm and agreed to leave the whole matter to two competent disinterested men to value said farm, containing nearly forty acres more or less and in case the two referees could not agree that they should call in the third person.

Your Committee selected Mr William G. R. Mowry as a suitable person to represent the City's interest, and the heirs of William Randall selected Mr. Joseph W. Miller of North Providence to represent their interest, and the two gentlemen did agree with a written report here accompanying that the value of said farm is in their judgment, twenty thousand dollars $20000. and your committee agreed with said heirs of William Randall that the price agreed upon by said referees, to be a fair valuation of said farm containing 1.742.400 square feet.

Also the strip of land belonging to John Carter Brown Esq laying between the easterly side of said Burial ground and North Main Street, containing more than six acres or 251.476 square feet.

The increased demand for lots and the few remaining unsold requires addition of more land. Your Committee have been urged by many of the heaviest tax payers and by the Commissioners of the North Burial Ground to secure their two parcels of land for burial purposes without delay These additions would give more than one hundred acres in the whole burying ground, which would be entirely surrounded by streets roads and Moshassuck River.

Your Committee recommended the City Council to purchase said farm of the heirs of William Randall for the sum of twenty thousand dollars (20000) Also the strip of land belonging to John Carter Brown lying between the easterly side of said Burial Ground and North Main Street, containing more than six acres or 251.476 square feet and to pay Mr. Brown twelve thousand dollars $12000. and that the City Treasurer be

directed to take deeds in the name of the City under the advice of the Standing Committee of the North Burial Ground, and the titles approved by the City Solicitor.

For the Committee John D. Jones Chairman.
Read whereupon it is ordered that the same be received
Passed July 9, 1866.

Approved the same day,
Thomas A. Doyle Mayor.

Resolved :—

That the City Treasurer acting under the advice and direction of the Standing Committee on the North Burial Ground be and he is hereby authorized and directed to purchase of the heirs of William Randall deceased, the farm belonging to them adjoining the North Burial Ground and containing about forty acres ; and also, to purchase of John Carter Brown, the tract of land owned by him lying between said Burial Ground and North Main Street, containing between six and seven acres.

Resolved :—

That the sum of thirty two thousand dollars be and the same is hereby appropriated for the purchase of the foregoing estates.

Resolved :—

That before taking the deeds of said estates or paying therefor the City Solicitor shall examine the title thereto and approve the same.
Passed July 9, 1866
Approved the same day

Thomas A. Doyle Mayor.

[*City Council Records No. 5, pages 397-8.*]

[**July 30, 1866.**] John Carter Brown to City of Providence—$12000—Quitclaim. That certain parcel of land lying near the North Burial Ground in said City of Prov. bounded Northwardly by the dividing line between said City & the line of North Providence Eastwardly

by the Pawtucket Turnpike Road & North Main St Southwardly by land belonging to John & Richard Gannon & westwardly by a continuation of Sexton St as laid down on a plat of said Street made by S. B. Cushing on the 9th of Sept 1845 & recorded in the City Clerk's Office the which said lot or parcel of land was to me conveyed by said City of Prov. by deed dated October 11, 1845 & recorded in Book No. 99 page 73 of Providence Land Records as was also a strip of land adjacent since conveyed by me to Zachariah Allen William or Edward Randall or some other person. [*Deed Book No. 174, page 330.*]

[**August 18, 1866.**] Lucius Miner et al. to City of Providence—$20000—Quitclaim. A certain tract of land situate in said North Providence now known as the William Randall homestead farm bounded and described as follows. Beginning on the westerly side of the Pawtucket Turnpike Road at the point where the north line of the North Burial Ground of said Providence protracted would intersect said Turnpike Road, thence westwardly bounding southwardly on said North Burial Ground to the Smithfield Turnpike road so called, thence northwardly bounding westwardly on said Turnpike road to Moshassuck river, thence eastwardly bounding northwardly on said Moshassuck river to the Power Road so called, thence southwardly bounding eastwardly on said Power Road in the line of said Road protracted to the Pawtucket Turnpike Road, thence still southwardly bounding eastwardly on said Turnpike Road to the place of beginning. containing about forty acres. [*Deed Book No. 267, page 493, Providence, No. 37, page 440, City Clerk's Office, Pawtucket.*]

[**November 12, 1866.**] Resolved:—

That the Commissioners of the North Burial Ground, be and they are hereby directed to select and set apart a lot in said ground as a burial place for the late Col. Knight Dexter and his family.

Resolved :—

That the Standing Committee on the North Burial Ground, be and they are hereby authorized and directed to cause remains of the late Col. Knight Dexter and his family, to be carefully removed from the West Burying Ground, where they now are, to the lot set apart by the Commissioners of the North Burial Ground for their reception.

Resolved :—

That the same committee be and they are hereby directed to cause the said lot to be properly curbed and the tomb stones repaired.

Resolved :—

That the sum of three thousand dollars be and the same is hereby appropriated for the purpose of carrying the aforegoing resolutions into effect.

Passed November 12, 1866

Approved the same day

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 440.*]

[**November 26, 1866.**] Message from the Mayor.

Mayors Office Providence Novem. 26, 1866

Gentlemen of the City Council

The heirs of Edward Randall late of North Providence, deceased, claim to own a parcel of land between the North Burial Ground and the Pawtucket Turnpike, which has been supposed to be a portion of the estate originally conveyed by the City to John Carter Brown and by him recently conveyed to the city.

I recommend that this claim may be investigated, in order that an amicable arrangement may be made with the heirs should they be found to have a title to the land in question.

In October 1848 Mr. Randall executed a power of attorney to the late John Whipple directing him to sue for this land whenever Mr. Brown should set up any title thereto, and if recovered to convey it to

the City of Providence to be kept by them as a public park or common This power of attorney, together with a plat of the land has been deposited in this office by the heirs.

Thomas A. Doyle Mayor.

Read November 26, 1866.

[*City Council Records No. 5, page 444.*]

[**January 16, 1867.**] Memorial of the Commissioners of the North Burying Ground.

To the Hon. City Council of the City of Providence

The Commissioners of the North Burying Ground as the legally appointed custodians appointed to take special charge of the preservation and improvement of this city cemetery, have deemed it to be their duty to submit for consideration, the subject of inclosing with a suitable fence, the tract of forty six acres of land, recently purchased for the enlargement of the original cemetery of fifty six acres of ground, and of including both together as one spacious cemetery of the extent of one hundred and two acres

Considering the design in purchasing this additional track of land to be the provision of a spacious place of sepulture, with a wise forecast for the future requirements of a rapidly increasing city, the Commissioners have taken charge of the new trust committed to their care.

The first consideration presented to them has been the removal of the old fence on the north division line and the construction of a new fence around the land purchased. To accomplish this, it has been found by admeasurement, that five thousand and eighty five feet in length of fence will be requisite; a portion of which may be made of the division fence removed.

The present inclosure of the original cemetery was made nearly a quarter of a century ago, by a structure formed of granite posts, to which chestnut rails and slats are attached by screw bolts, admitting of the removal of the perishable wood work for occasional repairs.

These parts all remain perfect for future use, not one of them having failed or having been broken; and they all admit of being used again for an indefinite period of time.

Several hundred new granite posts will be required and some portions of the ground along the external lines will require to be graded to receive a regular line of fencing and to form a decent and respectable place of final rest for the sepulture of the people of Providence and of their children for future generations; whose careers of active life are all destined to be terminated at the bourne of mortal existence in the grave.

Having served as one of the Commissioners of the North Burial Ground for the original inclosure and improvement of it; this experience has induced the belief of the undersigned that an appropriation of six thousand dollars economically expended will be adequate for the completion of the proposed inclosure in a durable and substantial manner.

It is to be remembered that after the completion of this preliminary work the future preservation and improvement of this public cemetery will be sustained by the income from the gradual sale of burial plots for ages to come: and by the endowments by will and otherwise of sums contributed by individuals for the perpetual perservation of their several lots and monuments in accordance with the Act of the Legislature of the State of Rhode Island constituting the Commissioners of the North Burial Ground, and their successors in office for ever, trustees for the special purpose of faithfully executing the directions prescribed by the donors. An incipient fund has already been created for this purpose amounting to twenty eight hundred dollars securely invested.

It may be appropriately noticed as shewing the natural advantages of the location recently purchased, that it borders on an ever flowing river, and admits of the formation of sheets of water amid elevated ridges of land, where gravelled walks will afford facilities for securing

the attractions of a beautiful landscape to the living mourner and the sanctity of the quiet repose of the dead, with the assurance that this secluded spot may remain undisturbedly consecrated as a cemetery. For the Commissioners of the North Burial Ground.

Zachariah Allen.

Read: whereupon it is ordered that the same be received

Passed In Common Council January 14, 1867.

In Board of Aldermen January 16, 1867.

Approved the same day

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 460.*]

[**February 4, 1867.**] Resolved:—

That the Commissioners of the North Burying Ground, under the advice of the Standing Committee of the North Burial Ground, be and they are hereby directed to cause the land recently purchased for the extending of said ground to be properly laid out, graded and enclosed by a suitable fence.

Resolved:—

That the sum of six thousand dollars be hereby appropriated for the aforegoing object.

Passed: In Common Council January 14, 1867.

In Board of Aldermen February 4, 1867.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 461.*]

[**February 11, 1867.**] Resolved:—

That the Committee appointed to revise the City ordinances, be and they are hereby directed to make application to the General Assembly for the passage of an Act changing the boundary line between this city and the town of North Providence, so that such portions of the land owned by the City set apart for burial purposes and known as the

"North Burial Ground" as is situated in the town of North Providence may be set off to and made a part of the City of Providence and also, for the passage of an act changing the boundary line between this city and the town of East Providence, so that so much of the property conveyed to the City by the deed from the Washington Bridge Society, dated November 20, 1860 and recorded in the land records of the City in book number one hundred fifty eight, (158) page two hundred and seven (207) as is located in East Providence may be set off to and made a part of the City of Providence.

Passed In Board of Aldermen January 16, 1867.
In Common Council February 11, 1867.
Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 5, page 462.*]

[**February 13, 1867.**] For report of Standing Committee on the North Burying Ground on Commissioners Report see City Council Records number 5 page 470.

This report was approved by the Mayor almost a year after.

For report of Commissioners of North Burial Ground for the year ending April 30, 1866 see City Council Records number 5 page 470.

For Annual Report of the North Burial Ground Fund see City Council records number 5 page 471.

[*City Council Records No. 5, pages 470 & 471.*]

[**June 3, 1867.**] For Annual Report of the Superintendent of the North Burying Ground for the year ending June 1, 1867 see City Council Records number 5 page 519.

For Report of Committee on the North Burial in regard to Commissioners Report see City Council Records number 5 pages 520 & 521 for the year ending April 30, 1867

For Annual Report of the Commissioners of the North Burying Ground for the year ending April 30, 1867 see City Council records number 5 page 521.

For Annual Report on North Burial Ground Funds see City Council records number 5 pages 521 & 522 for the year ending April 30, 1867. [*City Council Records No. 5, pages 519 to 522.*]

[**June 5, 1867.**] For Income from North Burial Ground Funds for the year ending April 30, 1867 see City Council records number 5 pages 522 & 523.

[**June 3, 1867.**] Resolved:—

That the Joint Committee who were appointed to cause the Mayor's Address to be printed, be and they are hereby Authorized to cause to be printed

The Annual Report of the Commissioners of the North Burying Ground made May 13 1867.

The Annual Report of the Superintendent of the North Burying Ground.

[*City Council Records No. 5, page 525.*]

[**August 12, 1867.**] Resolved That the gift of Jabez Gorham of the sum six hundred dollars to the Commissioners of the North Burying Ground in trust the income thereof to be applied under the provisions of Chapter 367 of the Revised Statutes to the preservation and care of the lot of said Gorman in said ground be and the same is hereby accepted by the City Council.

Passed In Common Council August 12, 1867.

In Board of Aldermen Aug 14 1867.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 18.*]

[**September 23, 1867.**] Resolved That the City Treasurer be hereby authorized under the advice and direction of the Standing Committee on City Property, to sell a strip of land on the easterly side of Sexton street adjoining land of Joseph Whelden and to execute a quitclaim deed thereof in the name of the City of Providence and to affix the seal of the City thereto provided said land shall not be sold for less than two hundred and sixty dollars and also that the proceeds be paid over to the trustees of the Sinking Fund for the redemption of the City Bonds payable in 1885

Passed Sept. 23, 1867.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 29.*]

[**September 27, 1867.**] City of Providence to Jos. Whelden—$260—Quitclaim. A certain lot or parcel of land lying, being & situate in the Northerly part of said City of Prov. & bounded & described as follows Viz: Westerly by a line (which line is understood & agreed by these grantors & this grantee to be the easterly line of Sexton street) parallel with & one hundred & forty 42/100 feet west of the west line of North Main St. on which it measures one hundred & seventy two 08/100 feet. Northerly & in range with the north line of a lot owned by said Whelden on said North Main St by land claimed by Sally Hathaway on which it measures 10/12 feet more or less. Easterly by land of said Joseph Whelden on which it measures about one hundred & sixty feet and southerly & in range with the south line of said Whelden's lot on North Main St by land of said City on which it measures thirty three & one half feet more or less which said lot hereby conveyed contains forty two hundred square feet more or less.

[*Deed Book No. 179, page 283.*]

[**October 7, 1867.**] Nathan Smalley Esqr. superintendent of the North Burial Grounds in the city of Providence proposes to straighten the line of the fence westerly from homestead estate of Wm. Randall to the bridge on the river near Horton Grove estate; the council make no objection to the straightening the line providing the same is done with the consent of the owners of the land opposite.

[*North Providence Town Council Records, No. 10, page 124.*]

[**November 13, 1867.**] Report on the Dexter Monument.

To the Hon. City Council

The Standing Committee on the North Burying Ground to whom was referred the erection of a monument to Ebenezer Knight Dexter by vote of the City Council who appropriated three thousand dollars to carry the same into effect make report:

That they secured a lot in the North Burial Ground forty feet square and enclosed the same with a heavy granite coping and erected a monument of Westerly granite twenty five feet in height to the memory of Mr. Dexter and his ancestors. The Committee had all the remains of Mr. Dexter's Family wife and child carefully removed to this lot also the remains of his father's family and grand parents removed from the West Burying Ground and buried in the same lot and inscribed on the monument the names of his ancestors at a cost exhausting the whole appropriation to complete the work.

Your Committee consulted with all who felt an interest in the design of a monument to make it creditable to the City.

For the Committee,

John D. Jones.

Read whereupon it is ordered that the same be received

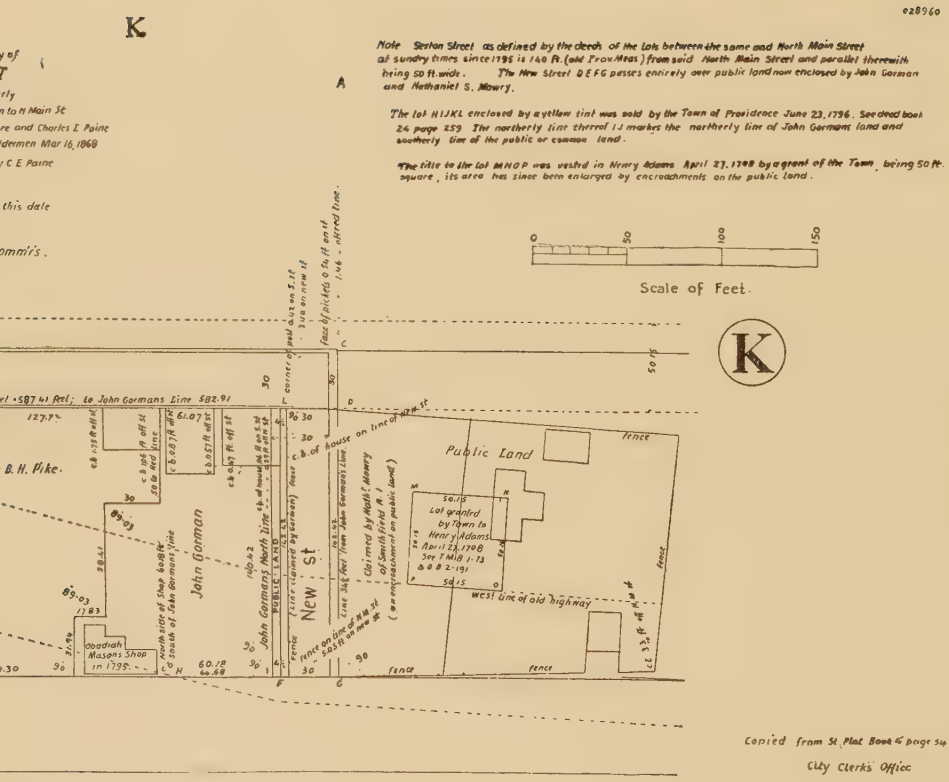
Passed November 11, 1867, In Common Council. Nov. 13, 1867, In Board of Aldermen.

Approved the same day. Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 47.*]

Public Land
Outer face of coping 0.68 off st
" " " 2.48 off red line
S.E. cor. of Granite post 0.33 R off st
" " " 2.23 " red line
westerly line of a street laid out in 1795
North Burial Ground
Range of north line of Cozzens Lane
Total distance from range of Cozzens Lane to range of North line of New Street = 637.
Sexton stree
Total distance from range of Cozzens Lane to range of south line
100.90 f
172.08 f
Easterly line of a street laid out in 1795
119.83
Public Land
Joseph Whelden
Easterly line of Public Land
Claimed by Joseph Whelden
as defined by committee of the Town in 1784
Claimed by Sally Hathaway
Sally Hathaway
Earl D Pearce heirs estate
Cozzens Lane
Joseph Whelden
Sally Hathaway
Total distance from Cozzens Lane to south line New Street = 493.94 ft
" " " " " John Germens north line = 489.44 ft
North Main st.

Plat K


K
Note Sexton Street as defined by the deeds of the lots between the same and North Main Street at sundry times since 1795 is 140 Ft. (old Prov. Meas.) from said North Main Street and parallel therewith being 50 ft. wide. The New Street DEFG passes entirely over public land now enclosed by John Gorman and Nathaniel S. Mowry.
The lot HIJKL enclosed by a yellow tint was sold by the Town of Providence June 23, 1796. See deed book 24 page 259 The northerly line thereof IJ marks the northerly line of John Gormans land and southerly line of the public or common land.
The title to the lot MNOP was vested in Henry Adams April 27, 1798 by a grant of the Town, being 50 ft. square, its area has since been enlarged by encroachments on the public land.
0
50
100
150
Scale of Feet.
K
Public Land
fence
Lot granted by Town to Henry Adams April 23, 1798 See T Mill 1-73 6002-191
50.18
50.15
West line of old highway
New St
John Gorman
B. H. Pike.
Obadiah Mason's Shop in 1799.
John Gormans North line
John Gormans South line
Line 346 Feet from John Gormans Line
Claimed by Mowry & Smithfield R. I. (an encroachment on public land)
fence (line claimed by Mowry)
Fence on line of New St 9.25 ft. on new St
Face of picket 0.74 ft. on N
Corner of post 0.42 on S. 3.08 on new St
1.48 - Offset line
Line 587.61 Feet; to John Gormans Line 582.91
60.18
60.68
127.7
61.07
89.03
89.03
88.41
140.62
50.15
50.18
32.15
32.27
50
30
96
fence
fence
fence

Copied from St. Plat Book 6 page 54
City Clerks Office

osite page 203.

[**November 13, 1867.**] Resolved that the gift of Almon D. Hodges of Boston of the sum of one hundred dollars to the Commissioners of the North Burying Ground in trust the income thereof to be applied under the provisions of Chapter 367 of the Revised Statutes to the preservation and care of the burial lot of Sally B. Comstock in said ground be and the same is hereby accepted by the City Council.
Passed in Common Council Nov. 11, 1867.
In Board of Aldermen Nov. 13, 1867.
Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 48.*]

[**March 20, 1868.**] Report.

To the Honorable the Board of Aldermen of the City of Providence The undersigned who were on the 16th day of March A. D. 1868 appointed by said Board "to relay Sexton street of a width of thirty feet from Cozzen's Lane to a point about thirty four and one half feet North of the Northerly line of John Gorman's lot and also to lay out a new street from said Sexton street to North Main street thirty feet in width" respectfully report

That on the 17th day of March A. D. 1868 accompanied by Gustavus A. Williamson Esquire Justice of the Peace and Edward S. Rhodes 2d Esq. City Sergeant the undersigned proceeded to the place where said highways are required to be laid out and (having been first duly engaged by the said Gustavus A. Williamson Justice of the Peace to faithfully discharge the duties required of them by the warrant hereunto annexed) surveyed bounded and marked out said highways in accordance with the directions of said Board as contained in said warrant and as delineated on the plat[1] which is herewith presented marked A and made a part of this report as follows to wit:

[1] Plat K

Sexton Street.

Beginning for the easterly line of said street at a point in the range of the northerly line of Cozzens Lane as said lane was established November 3th A. D. 1855 said point being $170\frac{35}{100}$ feet westerly from the westerly line of North Main street measuring on the Northerly line of said lane; thence Northerly on a line parallel with the said westerly line of North Main street and $142\frac{42}{100}$ feet therefrom $617\frac{41}{100}$ feet to a point $34\frac{50}{100}$ feet north of the northerly line of John Gorman's lot thence westerly at a right angle $100\frac{30}{100}$ feet thence southerly on a line parallel with said line running northerly and thirty feet therefrom $637\frac{10}{100}$ to the range of the northerly line of Cozzens Lane before described: thence easterly $35\frac{88}{100}$ feet to the point of beginning.

New Street.

Beginning at a point in the easterly line of Sexton street as before described $4\frac{1}{2}$ feet north of the northerly line of John Gormans lot as defined on said plat. thence at a right angle with said Sexton street as represented on said plat on a line parallel with said Gorman's northerly line and $4\frac{1}{2}$ feet therefrom easterly $142\frac{42}{100}$ feet to the westerly line of North Main street thence Northerly on said westerly line of North Main street 30 feet to a point $94\frac{68}{100}$ feet northerly from the range of the Northerly side of the Obadiah Mason shop (so called) now belonging to the said John Gorman thence westerly on a line parallel with said Gorman's northerly line, and $34\frac{1}{2}$ feet therefrom $142\frac{42}{100}$ feet to said Sexton street thence southerly on the easterly line of said Sexton street to the point of beginning.

And your Committee also report that the land taken for these highways as herein described is a part of the lot lying "between Archibald Walker's southward to the brook that cometh out of Samuel Whipple's land eastward with the highway and westward and northwestward with the Moshassuck river" which was voted by the town of Providence in

June A. D. 1700 to remain Common for a training field, burying ground and other public uses.

And the undersigned further report that no claim for land damage can in their judgment be sustained against the City in case these highways are established as herein before described and that but one party is known to them who seeks remuneration for such damage Nathaniel S Mowry of Smithfield claims to own the land next north of John Gormans estate of which land $3640\frac{38}{100}$ feet are required for the New street as marked out and bounded by your committee For this land the said Mowry demands fifteen cents per foot or the sum of Five hundred and Forty six 5/100 dollars.

And the undersigned further report that said Mowry has no record title to the land which he claims to own

If he has any title it is by possession And in order that the Board of Aldermen may duly appreciate the value of such title the undersigned refer said Board to a decision of the Supreme Court in the Case of Whelden versus Martin in relation to the title of a portion of the same tract or parcel of land which was dedicated by the Town of Providence to public uses in June A. D. 1700.

Respectfully submitted.

Witness our hands and seals this 20th day of March A. D. 1868

James C. Hidden L. S.
Joseph F. Gilmore L. S.
Charles E. Paine L. S.

(See Map in Book of Street Plats No 4 Page 54)

Note. Street above, received May 29, 1868 Street book 2 page 413.

[*Street Book No 2, pages 412 & 413, City Clerk's Office.*]

[**May 14, 1868.**] For the Annual Reports of the Commissioners of the North Burial Ground see City Council Records No 6 pages 94-95-96 and 97

[*City Council Records No. 6, pages 94 to 97.*]

[**May 14, 1868.**] Resolved That the City Treasurer be directed to pay to the order of the Commissioners of the North Burial Ground the sum of one thousand dollars ($1000) the same to be expended in repairs of fence of said grounds.

Passed In Common Council May 11, 1868.

In Board of Aldermen May 14, 1868.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 99.*]

[**May 29, 1868.**] In Board of Aldermen May 29, 1868

The Report of the Committee appointed on the 16th day of March 1868 to relay Sexton street from Cozzens Lane to a point $34\frac{1}{2}$ feet Northerly of the north line of John Gormans lot, and also to lay out a street from Sexton street to North Main street which report was postponed to this day is taken up notice having been duly served on all parties interested: and Edward P. Knowles appears and is heard: whereupon it is ordered that said report be received and recorded.

In Board of Aldermen May 29, 1868

Resolved That this Board hereby declare that all that portion of Sexton street which lies northerly of Sexton street as laid out by the Committee appointed March 16, 1868 and northerly of the new street from Sexton street to North Main street laid out by said Committee has ceased to be useful to the public as a highway.

[*Street Book No. 2, page 413.*]

[**June 1, 1868.**] For the Annual report of the Superintendent of the North Burial Ground see City Council Records No. 6 page 114.

[*City Council Records No. 6, page 114.*]

[**August 24, 1868.**] Resolved That the gift of James Wheaton of the sum of eighty dollars to the Commissioners of the North Burying Ground in trust, the income thereof to be applied under the provisions

of Chapter 367 of the Revised Statutes to the Preservation and Care of the burial lot of said Wheaton in said ground be and the same is hereby accepted by the City Council.

Passed Aug. 24, 1868.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 153.*]

[**November 28, 1868.**] An Ordinance establishing certain Joint Rules and Joint Standing Committees of the City Council.

It is ordained by the City Council as follows :

Section 1. These shall be annually appointed by the City Council immediately after the organization of the city government the following Joint Standing Committees who shall hold their offices until the expiration of the current municipal year. viz. * * *

A Committee on the North Burial Ground.

Each of which shall consist of three members of the Common Council and one Aldermen * * * *

Passed Nov. 23, approved Nov. 28, 1868.

[*Ordinance Book No. 3, page 50, City Clerk's Office, Providence.*]

[**January 13, 1869.**] Message from the Mayor.

Mayors office, City of Providence,
January 11, 1869.

Gentlemen of the City Council,

I suggest to you the propriety of setting apart a suitable lot in the North Burial Ground for the interment of the bodies of such persons as may decease in the Rhode Island Hospital leaving no friends to attend to their burial.

Should such a lot be provided the Trustees of the Hospital will undoubtedly see that the same is properly cared for.

Thomas A. Doyle Mayor.

Read In Common Council Jan. 11, 1869.

In Board of Aldermen Jan. 13, 1869.

Resolved,

That the Message of the Mayor dated January 11 1869 relative to setting apart a suitable lot in the North Burial Ground for interment of bodies of such persons as may decease in the R. I. Hospital be and hereby is referred to the Standing Committee on the North Burying Ground to examine and report thereon.

Passed In Common Council January 11, 1869

In Board of Aldermen January 13, 1869.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, pages 214 & 215.*]

[**February 10, 1869.**] Resolved That the City Treasurer under the advice and direction of the Commissioners of the North Burying Ground be and he is hereby authorized and directed to sell for a sum not less than twelve hundred and fifty dollars that portion of the North Burying Ground estate situate in the town of North Providence between the Smithfield and Branch Bridge turnpike.

Resolved:—

That the City Treasurer be and he is hereby authorized upon the sale of said estate to execute in the name of the City of Providence to the purchaser or purchasers thereof a quitclaim deed thereof and affix the seal of said City thereto.

Passed in Common Council Feb. 8, 1869.

In Board of Aldermen Feb. 10, 1869.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 226.*]

[**February 10, 1869.**] An Ordinance in amendment of an ordinance approved Oct. 12, 1868 entitled "An Ordinance in amendment of an ordinance in relation to the city debt"

It is ordained by the City Council of the City of Providence as follows—

Section 1. That portion of the ordinance of which this ordinance is in amendment relating to the receipts of money on account of the sale of real estate of any description now belonging, or which may hereafter belong to the city shall not apply to the sale of any portion of the North Burying Ground estate, whether the same be sold for burial or other purposes

Section 2. All monies received for the sale of any portion of said Burying Ground estate shall be appropriated as provided in section fifteen of the ordinance entitled "An Ordinance in relation to the North Burying Ground"

Section 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Passed In Common Council Feb. 8, 1869.

In Board of Aldermen Feb. 10, 1869.

Approved the same day.

Thomas A. Doyle Mayor.

[*Ordinance Book No. 3, page 56, City Clerk's Office, Providence.*]

[**February 25, 1869.**] City of Providence to Nathan Smalley—$1250—Quitclaim A certain piece of land situated in North Providence in said State bounded as follows Beginning at a point on the westerly line of the Smithfield Turnpike at the South Easterly corner of land now or formerly belonging to Fenner H. Peckham, thence southerly bounding easterly on said turnpike one hundred and five feet more or less to the northerly line of Branch Turnpike, thence westerly on said Branch Turnpike one hundred seventy two feet more or less to the Moshassuck river, thence northerly bounding westerly by said river twelve feet more or less to said Peckhams land, thence easterly bounding northerly on said Peckhams land one hundred thirty five feet more

or less to the point of beginning subject however to the following conditions; That no spiritous or intoxicating liquors shall ever be kept for sale upon said premises and no nuisance shall be permitted to exist thereon and in case of the violation of these conditions this deed shall become void. [*Deed Book No. 279, page 40, Providence—No. 42, page 545, City Clerk's Office, Pawtucket.*]

[**March 22, 1869.**] Resolved That the City Treasurer be and he hereby is directed to convey a certain triangular lot of land in the North Burial Ground, north of the ridge (so called) and containing one fourth of an acre more or less to the Rhode Island Hospital: The deed of said lot to contain such conditions as the commissioners of said burial ground shall impose.

Passed March 22, 1869.

Approved the same day,

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 238.*]

[**March 22, 1869.**] Resolved That the City Council hereby accepts that portion of the Pawtucket Turnpike road lying within the limits of the City of Providence on the conditions set forth in the resolutions of the General Assembly relating to said turnpike passed at the present session.

Passed March 22 1869.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 240.*]

[**April 26, 1869.**] Message from the Mayor.

Mayors office, City of Providence,

April 26, 1869.

Gentlemen of the City Council—

On the 24th instant I was informed by the agent of the Providence

and Pawtucket Turnpike that by order of the State Treasurer he had delivered to the City so much of said turnpike as was within the limits of the city.

The communication from the Agent I transmit herewith.

Thomas A. Doyle Mayor.

Pawtucket April 24, 1869

To the Mayor and Aldermen of the City of Providence R. I.

By direction of S. A. Parker State Treasurer I am directed to deliver so much of the Providence & Pawtucket turnpike road as lays within the City of Providence up to the City this day after three o'clock P. M.

James Davis Agent Prov. & Pawtucket Turnpike. Read Apr. 26, 1869.

[*City Council Records No. 6, page 247.*]

[**May 3, 1869.**] Resolved That the Superintendent of the North Burial Ground be and he hereby is directed to continue the fence of said burial ground from its present southerly terminus on North Main street, on the line of said street to its junction with Sexton street and thence up the line of said Sexton street joining the fence already constructed.

Passed in Common Council March 22, 1869.

In Board of Aldermen May 3, 1869.

Approved the same day.

Thomas A. Doyle Mayor.

[*City Council Records No. 6, page 252.*]

[**May 24, 1869.**] For the annual reports of the Commissioners of the North Burial Ground see city council records No. 6 page 261.

Approved May 24, 1869.

Thomas A. Doyle Mayor.

Report ordered printed June 7, 1869.

For the annual report of the Superintendent of the North Burial Ground see City Council No. 6 Page 276.
Approved June 7, 1869.

George L. Clarke Mayor.

Report ordered printed June 7, 1869.
[*City Council Records No. 6, pages 261 & 276.*]

[**July 26, 1869.**] Resolved That the City Treasurer be and he is hereby directed to pay to the Smithfield Turnpike Company the sum of one hundred dollars whenever said turnpike Company shall execute to the City of Providence a satisfactory conveyance of that portion of said turnpike road lying within the limits of said City for a free public highway and shall also execute to the Towns of Smithfield and North Providence like conveyances of the portions of said road within the limits of said towns said sum to be paid from the appropriation for highways.

Passed July 26, 1869.

Approved the same day, George L. Clarke.
Mayor.

[*City Council Records No. 6, page 300.*]

[**May 2, 1870.**] Return of Committee to relay the Old Providence from the Old Smithfield Road to the City line.

To the Honorable the Town Council of the Town of North Providence, County of Prov & State of R. I.

Whereas the Town Council on the 13th day of Apl. last adjudged it necessary to refer the matter of reconsidering the recent relay of the Old Smithfield Road to the undersigned with special reference to that portion of said Highway abuting on land of Charles Davis, E. Esten A. Metcalf, & Felix Mulholland, Report as follows. that agreeable to the instruction of your honorable body after having first notified the above named Parties on the 26th day of April last proceeded to that portion of Sd Highway abuting on land of the aforesaid. And after

waiting for a considerable time the said parties failing to appear according—Notice Your Committee proceeded to re-examine the lines of their former relay with Special reference to the claims set forth by the petitioners, and it is our opinion that the lines of Said Highway by us marked out & defined & as described in our former report, can not be changed or altered without making the Town liable for damages; Said Survey being strictly in accordance with the former lay out of sd Highway as delineated on a Plat recd in Book of Plats No 1, Page 5 in Town Clerks office of North Providence to which we refer In regard to the lines of the sd Old Smithfield Road opposite to the estates of C Esten & A Metcalf, it is our opinion that by changing the angles in said Highway from where it now is to the intersection of sd Road with Quincy Avenue would be an improvement favorable to the abuting estates, without discommoding the public travel & your Committ__ would recommend such a change provided the owners of the land on both sides of sd Highway as far as the change in the lines should vary from the original layout, would mutually agree between themselves sign an agreement to that effect holding the Town harmless.

Your Committee has also agreeable to your instruction continued said Highway or rather a Highway intersecting with the sd Old Smithfield Road known to the public as the Old Road from Pawtucket to Providence to the City Line, as follows; Beginning at a stone bound at the N. E. corner of the Old Smithfield Road at its intersection with the Old Road from Pawtucket to Providence thence S. 15° 50 W. $67\frac{2}{3}$ ft to a stone bound on the easterly side of sd Old Road from Pawtucket to Providence; thence S 22°-30′ W. $392\frac{04}{100}$ ft to a stone bound; thence S. 14°-30′ W. $742\frac{1}{2}$ ft. to center of an Oak Tree thence S. 13°-45′ W. $557\frac{7}{10}$ feet to center of Cedar tree; thence S. 5°-30′ W. 1688 ft. to angle abt. 18 feet Southerly from the Northerly line of the Henry Pitman estate: thence S. 13°-9 W. $412\frac{7}{10}$ ft. to the range of the Northerly line of Pidge Avenue, so called, thence by the sd range of

the Northerly side of Pidge Avenue S. 71°-27′ E. about 20 ft. or to its intersection with the westerly line of the Providence and Pawtucket Turnpike: thence S. 43°-W. abt. 126 ft. to a stone bound at angle in sd Turnpike: thence S. 52°-27′ W. 1455½ ft to a Stone bound abt 18 ft North of Northerly line of New Highway or Street leading to the Old Power Road; the terminus of the relay of sd Old Providence Road by Wm Earle, Andrew Almy & Elish. O Angell in A. D. 1860 making said Road 3 rods or 49½ ft. wide throughout with the exception of that portion of sd road opposite to the estate of Henry Pitman which was altered by the Town Commtt. Sept. 6th 1869 & made wider at the intersection with the Pawtucket Turnpike all of which is accurately deleniated on the accompanying Plat to which reference is being made. Thus far your Committ_ has retraced the lines of the sd. Old Road from Pawtucket to Providence in accordance with lay out in A. D. 1860 & 1869 making use of the same courses & distances with the exception of reducing the same from rods & links to feet, as far as to the angle marked A on the Plat opposite to H. Pitmans Toll Gate Estate and from thence by actual measurements by your Commtt from the stone bound set by us on the westerly side of the Old Road from Pawtucket to Providence, 3 rods westerly from a stone bound set in angle on the westerly line of the Pawtucket Turnpike & about 18 feet Northerly from the Northerly side of New Road leading to the Power Road indicated on the plat by letter B. we run & marked out a straight line S. 35°-32′ W 2145$\frac{93}{100}$ ft to the City line where we set another stone bound. This line which we made the westerly line of the Old Road from Providence to Pawtucket continued on the same course to a point opposite to a stone bound on the Northerly side of North St & on the easterly side of the Pawtucket Turnpike will strike just 6 rods westerly from said stone bounds allowing 3 rods in width for each road at this point.

The easterly line of sd Old Road from Pawtucket to Providence,

from the New Highway leading to the Old Power Road at B on the plat to the City line will be the westerly side of the Pawtucket Turnpike as defined & layed out by order of the General Assembly in 1848 and accurately deleniated on the accompanying plat which make sd. Old Providence Road 64¼ ft. wide at the City line.

The land abuting on that portion of the Old Road from Pawtucket to Providence as now relaid by us belongs to the Heirs of Nicholas Brown & the City of Providence which your petitioners claims to be the Old Road or Highway from Pawtucket to Providence prior to the lay out of the Pawtucket Turnpike and taking this view of it, it is our opinion that said City of Providence or the heirs of Nicholas Brown have sustained no damage by reason of sd Highway abuting or passing through sd land.

The accompanying draft is an exact plan of sd Highway as surveyed bounded & marked out by us with the names of the owners of the land over which the line is laid,

Given under our hands & Seals this 2d day of May A D 1870.

Obdiah Brown L. S.
Geo. E. Newell L. S.
N. B. Schubarth L. S.
} Committee.

[*North Providence Town Council Records No. 10, page 474.*]

[**May 9, 1870.**] For the Annual reports of the Commissioners of the North Burial Ground see City Council No 6 Page 428

Approved May 9 1870.

George L. Clarke
Mayor.

Report ordered printed June 6 1870 (Resolution No. 20)

[*City Council Records No. 6, page 428.*]

[**May 16, 1870.**] Upon the return & report of Obadaih Brown, Israel B. Phillips, & George Newell heretofore appointed by this Council to survey bound & relay the Old Smithfield Road from the

Smithfield line to the line of the City of Providence being again read & the owners of the land abutting the same being duly summoned & appear & are heard relating to the same Charles E. Davis Jr the only person appearing to object to the relay, And said Council do order & decree that said return & report be recorded & said relay established, by removing all Buildings and other impediments thereon.
[*North Providence Town Council Records No. 10, page 394.*]

[**June 6, 1870.**] For the annual report of the Superintendent of North Burial Ground see City Council No. 6 Page 444.

Approved June 6 1870.

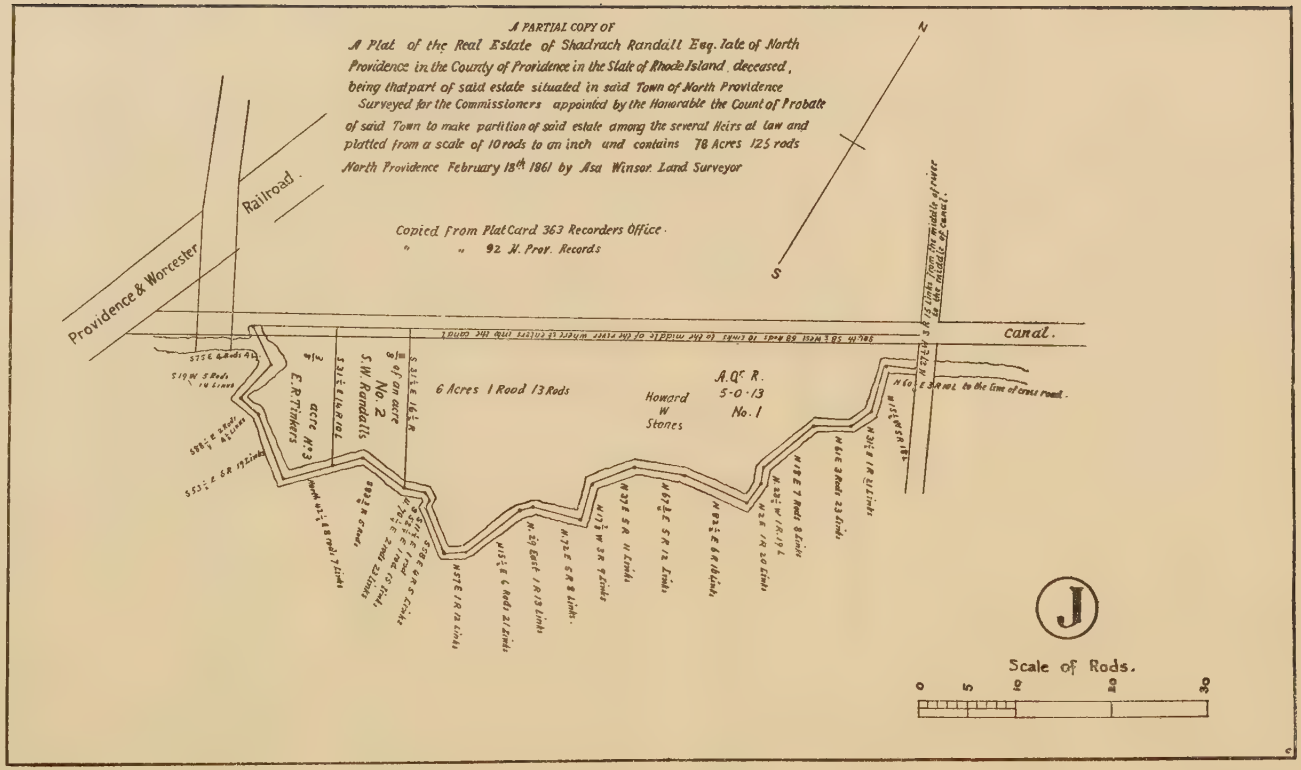
Thomas A. Doyle,
Mayor.

Report ordered printed June 6, 1870. (Resolution No. 20)
[*City Council Records No. 6, page 444.*]

[**December 5, 1870.**] No. 253. Resolutions for the purchase of land of William Corliss, for the North Burying Ground. (Approved December 5, 1870.)

Resolved, That the Joint Committee on the North Burial Ground be, and they are hereby authorized to purchase the estate of William Corliss, adjoining the North Burial Ground, containing about nineteen acres of land with the buildings and improvements thereon, provided, that the amount to be paid therefor shall not exceed the sum of thirty-five thousand dollars, payable in the notes of the city at ten years after the date of the delivery of the deeds, bearing interest at the rate of six per cent. per annum, and provided further, that a title thereto, satisfactory to the City Solicitor can be obtained.

Resolved, That the City Treasurer be hereby authorized and directed to issue the notes of the city in accordance with the aforegoing resolution, whenever said committee shall deliver to him a deed of said estate in proper form.
[*Resolutions of the City Council No. 253, 1870.*]


A PARTIAL COPY OF
A Plat of the Real Estate of Shadrach Randall Esq. late of North Providence in the County of Providence in the State of Rhode Island deceased, being that part of said estate situated in said Town of North Providence Surveyed for the Commissioners appointed by the Honorable the Court of Probate of said Town to make partition of said estate among the several Heirs at law and plotted from a scale of 10 rods to an inch and contains 78 Acres 125 rods North Providence February 18th 1861 by Asa Winsor Land Surveyor
Copied From Plat Card 363 Recorders Office
" " 92 N. Prov. Records
N
S
Railroad.
Providence & Worcester
Canal.
6 Acres 1 Rood 13 Rods
Howard W Stones
A.Q.r R. 5-0-13 No. 1
S.W. Randalls No. 2
E. R. Tinkers acre lot
J
Scale of Rods.
0
5
10
20
30

Plat J opposite page 217.

[**December 5, 1870.**] No. 254. Resolution to inquire what additional land can be obtained for the North Burying Ground. (Approved December 5, 1870.)

Resolved, That the Joint Committee on the North Burying Ground, be hereby instructed to inquire what additional land can be obtained for enlarging the North Burying Ground

[*Resolutions of the City Council No. 254, 1870.*]

[**December 17, 1870.**] Wm. Corliss to City of Providence—$35000—Warranty A tract of land with the buildings and improvements thereon situated in said North Providence bounded as follows viz. Beginning at a stone bound at the S. W. corner of said lot at the junction of the Smithfield Turnpike and Horton Grove roads so called running N. along the line of said Turnpike road to land belonging to the Prov. & Worcester and Boston & Providence Railroads, thence N. along the line of said Railroad bounding W. on said Turnpike and railroad to the old Power Road so called, thence E. on said Power Road bounding N. on the same 278 feet to a stone bound at land of the Dexter heirs thence S. bounding E. on said Dexter land 920 ft. to a stone bound on line of Horton Grove Road, thence S. W. bounding S. on said road 605-6 to place of beginning. Also a tract of land with the buildings and improvements thereon situate in said North Providence bounded as follows. Beginning at a stone bound at the N. E. corner of said tract on the S. side of the Horton Grove road running S. bounding E. on land of Barton Miller and wife to the center of the Old Blackstone Canal thence W. along the center line of said canal to the Smithfield Turnpike road, thence N. bounding W. on said Turnpike to the Horton Grove road thence E. bounding N. on said Horton Grove Road to the first mentioned bound. Also all my right title and interest in and to lot No. 1 on a plat[1] of division of the estate of Shadrach Randall deceased

[1] Plat J.

being one undivided half part of said lot and in and to lot No. 2 on said plat being three undivided quarter parts of said lot.
[*Deed Book No. 281, page 93, Providence—No. 54, page 27, City Clerk's Office, Pawtucket.*]

[**February 15, 1871.**] No. 347. Resolution accepting the gift of William Earle trustee of the estate of George Earle, to the North Burial Ground Fund. (Approved February 15, 1871.)

Resolved, That the gift of William Earle trustee of the estate of George Earle, deceased, of the sum of one hundred dollars, to the Commissioners of the North Burying Ground, in trust, the income thereof to be applied under the provisions of chapter 367, of the public laws, to the preservation and care of the burial lot of said George Earle, in said ground, be and the same is hereby accepted by the City Council.
[*Resolutions of the City Cou ncil No. 34, 1871.*]

[**March 13, 1871.**] No. 383. Resolution relative to adding the whole of the North Burying Ground and Swan Point Cemetery to the city. (Approved March 13, 1871.)

Resolved, That the City Clerk be hereby directed to give notice to the Town of North Providence, that an application will be made to the General Assembly at the May Session, A. D. 1871, for the transfer from said town to the City of Providence, of all the territory belonging to and forming parts of the North Burying Ground and Swan Point Cemetery.
[*Resolutions of the City Council No. 383, 1871.*]

[**April 11, 1871.**] No. 444. Resolution accepting Gift of $200 from Anna Whipple, to the North Burial Ground Fund. (Approved April 11, 1871.)

Resolved, That the gift of Anna Whipple, of the sum of two hundred dollars, to the Commissioners of the North Burying Ground, in

trust, the income thereof to be applied under the provisions of chapter 367 of the public laws to the preservation and care of the burial lot of said Anna Whipple in said ground, be and the same is hereby accepted by the City Council.

[*Resolutions of the City Council No. 444, 1871.*]

[**May 11, 1871.**] For the annual report of the Commissioners of the North Burial Ground and the income from trust funds see City Council No. 7 pages 51, 52 & 53

(Ordered printed June 5, 1871—Resolution No. 19)

[*City Council Records No. 7, pages 51-2-3.*]

[**June 5, 1871.**] For the annual report of the Superintendent of the North Burial Ground see City Council No. 7 page 75.

(Ordered printed June 5, 1871. Resolution No. 19)

[*City Council Records No. 7, page 75.*]

[**July 12, 1871.**] An Ordinance In Amendment of An Ordinance Entitled "An Ordinance In Relation to the North Burying Ground"

(Approved July 12, 1871.)

It is Ordained by the City Council of the City of Providence as follows:

Section 1. The Superintendent of the North Burying Ground shall be appointed by the Commissioners of the North Burying Ground, and shall hold his office during the pleasure of said commissioners He shall perform such duties in addition to those prescribed by the ordinances of the city, as said commissioners shall require and shall receive such salary as said commissioners shall determine not exceeding fifteen hundred dollars per annum payable quarterly from the North Burying Ground Improvement Fund, hereinafter provided for, in addition to house and garden rent.

Sec. 2. The said commissioners are hereby authorized to purchase such horses, cattle, carts, and other vehicles, and all such tools and imple-

ments as may be necessary for the proper care and management of said burying ground; and all such property so purchased, shall belong to the City of Providence. The said commissioners are also authorized to employ such workmen as they may deem necessary in laying out and caring for said burying ground, and in keeping the lots, fences, monuments and avenues therein in proper order, and in doing such new work as they may contract to perform.

Sec. 3. All rents collected from said burying ground, all fees or rewards of any kind derived therefrom, and now by law paid to the superintendent of said burying ground, or to any other person, and all income of whatever description, derived from said burying ground, shall be paid to the City Treasurer, of the City of Providence, and together with the sums received from the sale of lots in said burying ground, shall constitute the North Burying Ground Improvement Fund.

Sec. 4. Said commissioners are hereby authorized to expend not exceeding three-fourths of said fund in any one year, in the payment of salaries and in the improvement and protection of the grounds, avenues and fences of said burying ground, and the City Treasurer is hereby directed to pay the same from time to time, upon the order of said commissioners and the balance of said fund not so expended in any one year, is hereby appropriated towards the extinguishment of any indebtedness of the city already contracted or which may hereafter be contracted principal or interest, on account of the purchase of land for said burying ground.

Sec. 5. The said commissioners are hereby authorized to appoint one of their own number treasurer, who shall keep all books and accounts, which it may be necessary for said commissioners to have kept, relating to said burying ground, draw all drafts upon the City Treasurer for all moneys over which said commissioners have the control, and make up and render all reports required to be made and rendered by said commissioners. The said treasurer shall receive an annual salary

of three hundred dollars, payable quarterly from said North Burying Ground Improvement Fund.

Sec. 6. The annual report now required by law to be made by said commissioners in the month of May, shall hereafter be made in the month of January.

Sec. 7. All ordinances and parts of ordinances inconsistent herewith, are hereby repealed.

[*Ordinance Book No. 3, page 86, City Clerk's Office, Providence.*]

[**December 21, 1871.**] No. 287. Resolution to set off a lot in the North Burying Ground for use of the Grand Army of the Republic. (Approved December 21, 1871.)

Resolved, That the petition of Prescott Post of the Grand Army of the Republic of this city, for a burial lot in the North Burying Ground, be granted with the following conditions: That the lot be deeded to the Prescott Post, for the use of all the posts of the Grand Army of the Republic in this city as a burial place for the comrades of their several posts: that the Prescott Post shall agree to erect on the lot when deeded to them, a suitable monument, within two years of the date of said deed, and they shall also agree to keep the lot in good order:

Resolved, That the Commissioners of the North Burying Ground, are hereby directed to set apart a lot for said post, the dimensions not to exceed fifty by fifty feet, also, to curb the same at an expense not exceeding two dollars per foot; the expense thereof to be paid from the appropriation for the North Burying Ground.

[*Resolutions of the City Council No. 287, 1871.*]

[**January 22, 1872.**] For the report of the Commissioners of the North Burial Ground from May 1 to Dec. 31, 1871 see No. 366 Resolutions of 1871-2.

(Ordered printed June 3, 1872 with Sup'ts. report.—Resolution No. 21)

[*Resolutions of the City Council No. 366, 1872.*]

[**May 9, 1872.**] For the annual report on the North Burial Ground fund for the year ending Apr. 30 1872 see City Council records No. 7, pages 256 & 7.

[*City Council Records No. 7, pages 256-7.*]

[**July 8, 1872.**] No. 50. Message from the Mayor relative to the suit of the heirs of William Randall. (Presented July 8, 1872)

Mayor's Office,
City of Providence, July 8, 1872.

Gentlemen of the City Council:

Hon. Edward P. Knowles and the heirs of William Randall have certain suits against the city, now pending in the Court of Common Pleas, in which the title to a portion of the land of the north burial ground is in dispute.

These cases, I am informed, can be amicably settled without serious loss to the city, and I therefore recommend that a committee be appointed with full power to settle the above controversies.

Thomas A. Doyle, Mayor.

[*Resolutions of the City Council No. 50, 1872.*]

[**August 2, 1872.**] No. 101. Resolution relating to the Suits of the Heirs of William Randall. (Approved August 2, 1872.)

Resolved, That Aldermen Sharpe, Snow and Sprague, with Messrs. Hayward, Paine, Place, W. Y. Potter and Carpenter, of the Common Council, are hereby appointed a committe to confer with Edward P. Knowles and others, heirs of William Randall, in relation to certain suits now pending in the Court of Common Pleas for the County of Providence, between them and the City of Providence and ascertain upon what terms settlement thereof can be made, and report the same to the City Council.

[*Resolutions of the City Council No. 101, 1872.*]

[**November 25, 1872.**] No. 297. Resolution accepting Gift of Rosanna Carpenter to the North Burial Ground Fund. (Approved, November 25, 1872.)

Resolved, That the gift of James M. Cross, administrator of the estate of Rosanna Carpenter, deceased of the sum of three hundred dollars, to the Commissioners of the North Burying Ground, in trust, the income thereof to be applied, under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot of said Rosanna Carpenter, in said ground, be and the same is hereby accepted by the City Council.

[*Resolutions of the City Council No. 297, 1872.*]

[**January 15, 1873.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1872. see No. 366, Resolutions of 1872-3 (Ordered printed June 2, 1873 with Sup'ts report—Resolution No 17.)

[*Resolutions of the City Council No. 366, 1873.*]

[**January 29, 1873.**] No. 384. Message from the Mayor in relation to the Bequest of John Crain. (presented January 29, 1873.)

Mayor's Office,
City of Providence, January 29, 1873.

Gentlemen of the City Council:

I have received notice from the executor of the will of John Crain, late of Pawtucket, deceased, that Mr. Crain, by his will, bequeathed the sum of two hundred dollars to this city, the interest thereon to be applied to keeping in order lot No. 32 in the North Burying Ground, standing in the name of Anthony Budlong. I recommend that the bequest be accepted by the City Council.

Thomas A. Doyle Mayor.

Pawtucket, January 23, 1873.

To His Honor the Mayor of the City of Providence:

Sir—John Crain, a citizen of this town, deceased in September last, leaving a will in which was the following bequest:

"I give and bequeath to the Corporation of the City of Providence, Rhode Island, in trust, the sum of two hundred dollars ($200), the interest of the same, or so much thereof as may be necessary, to be applied to keeping the grounds of the burial lot No. 32, standing in the name of Anthony Budlong, and located in the North Burial Ground, in the City of Providence; and if the interest on said fund should exceed the sum necessary to keep the same in proper order, the excess shall be paid into the city treasury, for the use of said city."

Will you please place this before the proper authorities for acceptance, and upon due notice, I am prepared to pay over the same, as directed in and by said will.

Respectfully yours, &c.

Lewis Pearce,

Executor of the Will of John Crain.

[*Resolutions of the City Council No. 384, 1873.*]

[**January 29, 1873.**] No. 385. Resolution referring the same to the Joint Committee on the North Burying Ground. (Approved January 29, 1873.)

Resolved, That the message of the Mayor in relation to the bequest of John Crain, of two hundred dollars to the city in trust, the income to be applied to the care of the lot of Anthony Budlong in the North Burying Ground be referred to the Joint Committee on the North Burying Ground, to examine and report thereon.

[*Resolutions of the City Council No. 385, 1873.*]

[**February 24, 1873.**] No. 411. Resolution accepting bequest of John Crain. (Approved February 24, 1873.)

Resolved, That the bequest of John Crain be and hereby is accepted, in accordance with his will, dated September 1872; and the city treasurer be and he is hereby authorized to receive from Lewis Pearce, executor of the will of John Crain, the amount named in said bequest, and apply the same to the object named in said will.

[*Resolutions of the City Council No. 411, 1873.*]

[**March 20, 1873.**] No. 470. Report of Special Committee upon the suits of Edward P. Knowles and others, heirs of William Randall in relation to the North Burying Ground. (Presented March 20, 1873.)

To the Honorable the City Council of the City of Providence

The undersigned, who by resolution No. 101, approved August 2, 1872, were appointed a committee to confer with Edward P. Knowles and others, heirs of William Randall, in relation to certain suits now pending in the Court of Common Pleas for the county of Providence between them and the city of Providence, and ascertain upon what terms settlement thereof can be made, and report the same to the City Council, have considered the matters referred to them, and respectfully submit the following report:

The suits now pending are as follows:

First. A suit in which Lucius Miner and Wife and others, heirs of William Randall, are the plaintiffs, and the city is defendant. This is an appeal from the order of the Board of Aldermen, declaring that a portion of Sexton street had ceased to be useful to the public as a highway.

Second. A suit between the same parties, being an appeal from the order and decree of the Board of Aldermen in relaying said Sexton street, and reducing its width from fifty feet to thirty feet.

Third. A suit brought by the same parties against Nathan Smalley, Superintendent of the North Burying Ground, to determine the title to that portion of said burying ground purchased by the city of John Carter Brown. The attention of the City Council was called to this claim of the said heirs by the Mayor in a message under date of November 26, 1868.

The heirs of William Randall also claim to have been aggrieved by the report of the committee on claims made to the City Council November 28, 1868, upon the petition of said heirs and William Corliss and Jacob Symonds, in reference to the sale of the Randall farm to the city. This matter is not in terms embraced in any of the suits before named, but is incidentally connected with the suit against Mr. Smalley, as affecting the title to the land in the burying ground.

The committee have afforded every opportunity to the parties claiming to be aggrieved, to be heard in the matter, and find that the committee on claims prepared a report upon the matter referred to in said petition, a copy of which marked "A," is hereto annexed.

This draft of a report was agreed to by Mr. Knowles and the committee, as a substantially correct statement of the facts referred to in said petition, but was not presented to the City Council, but another report was made which was not satisfactory to the petitioners, and which the petitioners claim they never saw or heard of until it was presented to the City Council.

The committee therefore recommend that the accompanying paper marked "A," be adopted by the City Council as a correct statement of the facts therein referred to.

In reference to the suit against Mr. Smalley brought to determine the title to that part of the North Burying Ground estate purchased of John Carter Brown, in 1866, the committee find the following to be the facts.

The land lying between North Main street on the east the Uriah

Hopkins lot on the south, the original location of Sexton street on the west, and a line in continuation of the line of North street, (formerly Harrington's lane) on the north, is claimed by the heirs of William Randall under the old proprietor's title. There is great difficulty at this time, in accurately determining the exact location of what was known as the country road. In the only suit in which any attempt was made to fix the location of this road with certainty, the decision was adverse to the claim of the city. The position of this highway is of great importance, as in the vote of the town and the proprietors in 1700 defining the limits of the burying ground, the eastern boundary is described as the highway. If this highway was Sexton street, as is claimed by the Randall heirs, the land in question is outside of the original limits of the burying ground. If it was where North Main street now is, the burying ground extended to it.

It is further to be stated, that it is proposed by the Randall heirs, in case they maintain their claim to this land, to give it to the city for a public square or park, in accordance with the wishes of Edward Randall, the brother of William Randall, as expressed in a power of attorney given by him to John Whipple in 1848, as appears by the Mayor's message before referred to.

It is also to be remembered, that the authorities of North Providence have ordered the widening of the Pawtucket turnpike to the width of ninety-nine feet, from the old toll gate to the city line, and if the city should in connection with North Providence, extend this widening from the North Providence line to Branch avenue, a great public improvement would be made at a very inconsiderable cost.

The committee are of the opinion that it would not be wise, under any circumstances, to permit any portion of the land to which the title is in open dispute to be sold or used for burial purposes, nor do they think it would be wise to permit burials upon this land, in any event, farther east than the easterly line of Sexton street.

If this tract of land adjoining the turnpike and containing about six acres, should be made a public square, and North Main street widened to the width of ninety-nine feet and all litigation concerning the title to this ancient burying ground be amicably terminated, the public interest, in the opinion of your committee, would be greatly promoted.

The committee would further add that, in their judgment, Edward P. Knowles and the Randall heirs have acted in entire good faith in their dealings with the city in reference to the suits in question and the other controversies relating to the North Burying Ground.

The committee therefore recommend that the necessary steps be taken forthwith, for the widening of North Main street to the width of ninety-nine feet, from the North Providence line to Branch avenue, as shown upon the accompanying plat.

They also recommend that interments be prohibited upon that portion of the North Burying Ground estate lying east of the easterly line of Sexton street as originally laid out, and that all that portion of said estate between the present easterly line of burial lots and North Main street, be dedicated to the public as and for a public square.

They also recommend that the city pay the costs incurred by the Randall heirs in the aforesaid suits, provided that said heirs and said Edward P. Knowles shall discontinue all said suits and relinquish all claim to said lands.

The committee respectfully submit the accompanying resolutions to carry their recommendations into effect.

For the committee,

Lucian Sharpe, Chairman.

A

DRAFT OF REPORT OF COMMITTEE ON CLAIMS.

The Committee on Claims, to whom was re-committed the petition of E. P. Knowles, Jacob Symonds and William Corliss, asking for a

conveyance from the city to said Symonds and Corliss of a portion of the land purchased of the Randall heirs for burial purposes, respectfully report :—

That something like an agreement or understanding existed between the agent of the city and Messrs. Symonds and Corliss, in accordance with which, if the city purchased the land at auction, a certain portion thereof should be conveyed to them in consideration that they would refrain from bidding thereon.

It is not necessary to inquire into the power or authority of the said agent to enter into any such agreement or understanding, or the legal, equitable, or moral obligation of the city in the premises, because the contingency upon which the agreement or understanding with Messrs. Symonds and Corliss was based, never occurred. The city did not purchase the property at auction. The estate was purchased of the Randall heirs some days subsequent to the auction by a member of the committee, who had been appointed for the purpose of negotiating with them in relation thereto in the first instance.

At the time of purchase as aforesaid, said member of said committee did give said heirs to understand, that if they would convey said property to the city without restrictions as to the purposes for which it should be used, a street or road would be laid out by or through a portion of said land, which would increase the value of other lands owned by said heirs. Whether said road or street was to be laid out by the city, or where or how it was to be constructed, does not definitely appear. The member of the committee who negotiated the purchase does, however, say that the understanding, at the time of the purchase, was such that if he had bought for himself instead of the city, he should think himself under an obligation to make such street or road as he gave said heirs to understand would be made. There is no evidence before the committee of any assent on the part of the city to any such understanding. The city took an unconditional deed of the property and paid for it, and did

not know, until after the purchase, of any condition or understanding of the matters herein referred to.

The member of the committee who negotiated with the Randall heirs had no authority, express or implied, by which he could bind the city to lay out such a street or road as is herein referred to, or to make any conveyance to Symonds and Corliss, and any promise made or understanding had with the Randall heirs, bound no one beyond the party who negotiated with them.

[*Resolutions of the City Council No. 470, 1873.*]

[**March 28, 1873.**] An Act Annexing a Portion of the Town of North Providence to the City of Providence. (Passed March 28, 1873; January session, page 174.)

It is enacted by the General Assembly as follows:

Section 1. All that portion of the town of North Providence embraced within the limits of the North Burying Ground and within the limits of the Swan Point Cemetery, is hereby set off from said town of North Providence and annexed to the city of Providence; and the portion so set off and annexed is hereby declared to be within the limits and jurisdiction of the city of Providence for all purposes; and the inhabitants of the said portion so set off and annexed shall have and enjoy all the rights, privileges and immunities, and be subject to all the duties and liabilities, which the inhabitants of said city of Providence have and enjoy and to which they are subject; and said portion so set off and annexed shall be, until the next division of said city into wards, a portion of the first ward of said city.

Sec. 2. The city of Providence shall be liable for the support of all persons who now do or shall hereafter stand in need of relief as paupers, whose settlement was gained by or derived from a settlement within the limits of the portion hereby set off and annexed. [*Acts of General Assembly, January Session, 1873, page 174.*]

[**April 28, 1873.**] No. 537. Resolution to transfer the bequest of John Crain, to the North Burial Ground Fund. (Approved April 28, 1873.)

Resolved, That the city treasurer is hereby directed to pay to the commissioners of the north burying ground the sum of two hundred dollars, the same being the amount bequeathed to the City of Providence, by John Crain, late of Pawtucket, deceased: the said amount to be held by said commissioners in trust under and according to the provisions of the will of said John Crain, and chapter 367 of the statutes of this state.

[*Resolutions of the City Council No. 537, 1873.*]

[**May 8, 1873.**] For the annual report on the North Burial Ground fund for the year ending Apr. 30, 1873 see City Council records No. 7 page 472.

[*City Council Records No. 7, page 472.*]

[**May 19, 1873.**] No. 581. Resolution relating to suits of Lucius Miner and others, Heirs of William Randall. (Approved May 19, 1873.)

Resolved, That the city treasurer is hereby directed to pay the plaintiffs costs in the two cases of Lucius Miner and others against the City of Providence, and Lucius Miner and others against Nathan Smalley, now pending in the court of common pleas for the county of Providence whenever he shall receive from the city solicitor a certificate that said suits have been discontinued, and that said plaintiffs have released to the city all claims to that portion of the North Burying Ground estate lying between North Main street and the easterly line of Sexton street as formerly laid out.

[*Resolutions of the City Council No. 581, 1873.*]

[**July 8, 1873.**] No. 79. Resolution accepting gift of William G. Dearth to the North Burial Ground Fund. (Approved July 8, 1873.)

Resolved, That the gift of William G. Dearth of the sum of two hundred dollars to the Commissioners of the North Burying Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws to the preservation and care of the burial lots of said William G. Dearth and of Abby T. Dearth, in said ground, be and the same is hereby accepted by the city council.

[*Resolutions of the City Council No. 79, 1873.*]

[**December 11, 1873.**] No. 344. Resolution accepting gift of the heirs of Joseph Tillinghast, to the North Burial Ground Fund. (Approved December 11, 1873.)

Resolved, That the gift of Mary T. Gladding, Elizabeth G. Chandler, and Amey Ann Arnold, heirs of Joseph Tillinghast, deceased, of the sum of one hundred dollars to the commissioners of the north burying ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot of said donors in said ground be and the same is hereby accepted by the city council and that the same be called the Joseph Tillinghast fund,

[*Resolutions of the City Council No. 344, 1873.*]

[**May 4, 1874.**] For the annual report on the North Burial Ground fund for the year ending Apr. 30, 1874 see City Council records No. 8. pages 171-2.

[*City Council Records No. 8, pages 171-2.*]

[**September 29, 1874.**] An Ordinance relating to the Joint Standing Committees of the City Council (Approved Sept. 29, 1874.)

It is ordained by the City Council of the City of Providence as follows. viz :—

Section 1. There shall be annually appointed by the City Council immediately after the organization of the City government, the following joint standing Committees who shall hold their offices until the expiration of the current municipal year Viz :— * * * *; also a committee on the north burying ground; * * * * each of which shall consist of three members of the common council and one alderman; * * * *

(Number of councilmen changed from three to four, Oct. 6, 1883)

[*Ordinance Book No. 3, page 143. Ed. 1875, Chapter XIII. Ed. 1887, Chapter VIII. Amended April 1, 1878, but part quoted not changed. Also amended February 4, 1880.*]

[**November 2, 1874.**] No. 1054. Resolution transferring $2,000 to the appropriation for the North Burying Ground. (Approved November 2, 1874.)

Resolved, That the sum of two thousand dollars be and the same is hereby transferred from the reserve fund to the North Burial Ground improvement fund.

[*Resolutions of the City Council No. 1054, 1874.*]

[**November 6, 1874.**] James Eddy to City of Providence—$100—Quitclaim. A lot in the North Burying Ground in the said City of Providence said lot is No. one hundred and seventy one (171) in Group No. twelve (12) as numbered and designated in a Plat of said Burying Ground lots in the Office of the Recorder of Deeds in said Providence Said lot being twenty feet long by twenty feet wide containing four hundred square feet situated on the east side of Main Avenue on which it measures twenty feet.

[*Deed Book No. 248, page 280.*]

[**November 9, 1874.**] Lewis H. Humphreys to City of Providence—$100—Quitclaim. A lot of land in the Ancient public burying

ground called the North Burying Ground in the City of Providence which lot is numbered one hundred and seventy in Group number twelve as numbered and designated in a Plat of said burying ground lots in the book of records of "Deeds of North Burying Ground Lots" in the Office of the Recorder of Deeds in said Providence Said lot being twenty feet long and twenty feet wide containing four hundred square feet situated on the east side of Main Avenue on which it measures twenty feet.

[*Deed Book No. 248, page 281.*]

[**January 8, 1874.**] For the annual report of the commissioners of the North Burial Ground for the year ending Dec. 31, 1873 see No. 1099 Resolutions of 1873-4

[*Resolutions of the City Council No. 1099, 1874.*]

[**December 23, 1874.**] No. 1159. Resolution transferring $400 to the North Burying Ground Improvement fund. (Approved December 23, 1874.)

Resolved, That the sum of four hundred dollars be and the same is hereby transferred from the reserved fund to the North Burial Ground Improvement.

[*Resolutions of the City Council No. 1159, 1874.*]

[**January 4, 1875.**] Ordinances of 1875. (In effect January 4.) Chapter VII. Burial Grounds.

Section 1. The north burial ground estate, as the same now is or hereafter may be constituted by any purchases, to be made by the city of Providence or other parties, or any donations for and on behalf thereof, and the Hopkins burial ground, being the lot of land conveyed to the town of North Providence by Admiral Ezek Hopkins, by deed recorded in the record of deeds in said town in book of deeds 2, page 377, shall be under the care, control and direction of the commissioners

of the north burial ground and of the superintendent of the north burial ground; and said superintendent shall give his personal care, services and attendance to the protection, maintenance, improvement and proper use of the grounds within said estates, and to maintaining and enforcing all ordinances and regulations applicable thereto under the direction of said commissioners.

Sect. 2. The said commissioners shall exercise a general supervision over said burial grounds, see that all ordinances, regulations and resolutions of the city council in relation thereto are duly enforced, and do all acts necessary and proper for the improvement and protection of the grounds, avenues and fences thereof. Said commissioners shall annually, in the month of January make a report to the city council of the condition of said burial grounds, which report shall contain an accurate detailed account of all moneys expended by said commissioners, in pursuance of the authority given by this chapter, and the general purposes of such expenditure; and also such other information as said commissioners shall deem expedient.

Sect. 3. The said commissioners are authorized to purchase such horses, cattle, carts and other vehicles, and all such tools and implements as may be necessary for the proper care and management of said burial grounds; and all such property, so purchased, shall belong to the city of Providence. The said commissioners are also authorized to employ such workmen as they may deem necessary in laying out and caring for said burial grounds, and in keeping the lots, fences, monuments and avenues therein in proper order, and in doing such new work as they may contract to perform.

Sect. 4. All rents collected from said burial grounds, all fees or rewards of any kind derived therefrom, paid to the superintendent of said burial grounds, or to any other person, and all income of whatever description, derived from said burial grounds, shall be paid to the city treasurer of the city of Providence, and together with the sums received

from the sale of lots in said burial grounds shall constitute the north burial ground improvement fund.

Sect. 5. Said commissioners are authorized to expend not exceeding three fourths of said fund in any one year, in the payment of salaries and in the improvement and protection of the grounds, avenues and fences of said burial grounds, and the city treasurer is hereby directed to pay the same, from time to time, upon the order of said commissioners; and the balance of said fund not so expended in any one year is hereby appropriated as a sinking fund for the extinguishment of any indebtedness of the city already contracted or which may hereafter be contracted, principal or interest, on account, of the purchase of land for said burial grounds.

Sect. 6. The said commissioners are authorized to appoint one of their own number treasurer, who shall keep all books and accounts, which it may be necessary for said commissioners to have kept, relating to said burial grounds, draw all drafts upon the city treasurer for all moneys over which said commissioners have the control, and make up and render all reports required to be made and rendered by said commissioners. The said treasurer shall receive an annual salary of three hundred dollars, payable quarterly from said north burial ground improvement fund.

Sect. 7. The superintendent of the north burial ground shall be appointed by the commissioners of the north burial ground, and shall hold his office during the pleasure of said commissioners. He shall perform such duties, in addition to those prescribed by the ordinances of the city, as said commissioners shall require, and shall receive such salary as said commissioners shall determine, not exceeding fifteen hundred dollars per annum, payable quarterly, from the said north burial ground improvement fund, in addition to house and garden rent.

Sect. 8. The superintendent shall keep a record, in a book to be appropriated to that special purpose, of all burials which are made in

the said burial grounds, stating the name, residence, occupation, age, the date, and, as near as may be, the place of interment, of each person buried, with any other circumstances which said commissioners shall direct.

Sect. 9. The superintendent under the direction of said commissioners, shall keep the fences around the said burial grounds in proper repair, and the gates thereof locked; he shall report to the chief of police every violation of this chapter, as soon as may be, that the same may be prosecuted; and he shall act in conformity with the directions of said commissioners in all cases not otherwise specially provided for.

Sect. 10. The superintendent shall receive the fees for digging all graves dug in the said burial grounds, being the sum usually charged for such service; and also the sum of one dollar for assisting in selecting and for marking out and granting a certificate for a deed of each lot in said burial grounds,—said fees to be paid by the parties for whom the service is rendered, and also the sum of twenty-five cents for every other certificate which he may give in his official capacity, and shall pay on the first Monday of each month all such fees into the city treasury.

Sect. 11. The superintendent shall keep an exact account of all fees received by him in pursuance of the provisions of this chapter, and shall on the first Monday of each month transmit a copy of the same to the city treasurer and to the treasurer of the commissioners of the north burial ground.

Sect. 12. No person shall take up, hold or own any lot within said burial grounds, except for the purpose of using the same in good faith for a burying lot; nor shall transfer or sale of any lot therein be made without leave first had and obtained in writing from said commissioners.

Sect. 13. No person shall remove any stake, post, bound or fence placed around, within or upon said grounds under the direction or permission of said commissioners or of the superintendent, nor mutilate, deface or injure the same, or any monument, tree, shrub or other thing

intended for protection, improvement or ornament placed therein nor commit any trespass or injury within or upon said ground or any part thereof.

Sect. 14. No person shall erect or build any vault or tomb within the limits of said burial grounds, nor inclose any part or portion thereof, without leave first had and obtained from said commissioners which leave shall be first certified by said commissioners to the superintendent of said ground.

Sect. 15. No grave shall be dug nor any body buried in or upon any avenue, path or passage-way in the said burial grounds; and any body so buried shall be removed by the superintendent or by said commissioners, at the expense of the person or persons burying or procuring the same to be buried.

Sect. 16. No grave shall be dug, nor any body buried within said burial grounds, excepting in and upon lots of proprietors, unless the place of such grave or burial be located under the direction of said superintendent or of said commissioners.

Sect. 17. Any person who shall dig or commence or attempt to dig any grave in said burial grounds, except by authority of the superintendent, shall pay a fine of five dollars for each offence.

Sect. 18. All graves within the north burial ground estate, including those within proprietors grounds shall be dug by the superintendent or his agents, except those for the poor from the Dexter Asylum, which shall be done at the expense and by the agents of the asylum, in that part of the ground appropriated for that purpose.

Sect. 19. Every person who shall violate any of the provisions of this chapter, except those contained in the seventeenth section thereof, shall pay to the use of the city a fine of not less than ten nor more than twenty dollars; and shall be personally liable in addition for any damage or injury done by him as a consequence of such violation to the said burial grounds or any of the lots therein or the appurtenances thereof.

Chapter XIII. Committees of the City Council.

Section 1. There shall be annually appointed by the city council, immediately after the organization of the city government the following joint standing committees, who shall hold their offices until the expiration of the current municipal year, viz.: a committee on finance; a committee on highways; a committee on education; a committee on fire department; a committee on city property; a committee on police; a committee on ordinances; a committee on claims; a committee on printing; a committee on parks, each of which committees shall consist of four members of the common council and one alderman; also a committee on the north burial ground; a committee on the harbor; a committee on railroads; a committee on sewers; a committee on lamps, each of which shall consist of three members of the common council and one alderman; a committee on water, to consist of four members of the common council and two aldermen; also a committee on the city debt, which shall consist of the mayor, the president of the board of aldermen, the president of the common council, the chairman of the joint standing committee on finance, and one member of the common council, to be appointed by the president thereof; and a committee on the city engineer's department, to consist of the mayor, the president of the board of aldermen, the president of the common council, the chairman of the joint standing committee on highways and sewers, and one member of the common council, to be appointed by the president thereof.

Sect. 2. Joint committees whether standing or special shall have power to elect their own chairman, and in default of such election, the member first named on a committee shall be chairman thereof, and in case of his resignation or inability, the other members, in the order in which they are named, shall act as chairman.

Sect. 3. Joint standing committees shall cause a record of their proceedings to be kept in a book to be provided by the city for that

purpose, and no report shall be received unless agreed to in committee actually assembled.

Sect. 4. Every joint committee to whom any subject shall have been referred shall report thereon within four weeks, to the branch making such reference, or shall ask for further time.

Sect. 5. All reports and other papers submitted to the council shall be written in a fair hand, and on separate sheets of paper, and shall be suitably endorsed by the member presenting the same; and no other indorsement or report of any kind shall be made on the reports, memorials or other papers which may be referred to any joint committee, except such as may be made by the clerk of either board of the city council. All reports shall be signed by the writer thereof, unless otherwise ordered by the committee.

Sect. 6. No chairman of any joint committee shall audit or approve any bill or account against the city for services or supplies unless the same shall have been ordered by the committee, nor shall he approve any bill or account except by vote of the committee.

Sect. 7. There shall be elected annually in the month of June, by ballot in each branch of the city council, a joint committee on accounts, to consist of two on the part of the board of aldermen, and five on the part of the common council, whose duty it shall be to meet once a month and as much oftener as they may deem expedient.

Chapter XIX. Finances.

Sect. 4. No money shall be paid out of the city treasury, except in the cases provided in this chapter, unless the expenditures or the terms of the contract shall be vouched by the head of the department, and the chairman of the committee or commission under whose authority the same has been authorized and made, nor unless the same shall have been examined by the city auditor, approved by the committee on accounts and drawn for by the mayor: provided that in all cases when it

is necessary for money to be paid in advance for contracts made or for work begun but not completed, the mayor may, upon being satisfied of such necessity, draw upon the city treasury for the amount thus required to be advanced, which draft shall be paid by the city treasurer provided the same shall be countersigned by the city auditor, and the city auditor shall countersign all such drafts to an amount not exceeding three hundred dollars in any one case, but the city auditor shall not countersign any such draft for any sum exceeding three hundred dollars without the direction of the committee on accounts. * * * *

Sect. 36. All balances of money remaining in the treasury from general appropriations, and all taxes unpaid at the end of any financial year; all receipts in money on account of the sale of real estate or buildings of any description now belonging or which may hereafter belong to the city, excepting the real estate now or hereafter belonging to the North burial ground or Roger Williams park; all receipts on account of the principal sum of any bond or note now owned or which may hereafter be owned by the city, shall be and the same are hereby appropriated to the payment or purchase of the city debt, and the city auditor shall annually pass to the credit of the committee on the city debt all receipts in money, the proceeds of either of the sources before mentioned; and the same so passed to the credit of said committee shall be drawn from the treasury of the city for the payment or purchase of the city debt, in the same manner as other money is drawn, and in no other mode, and for no other purpose whatever.

Sect. 37. The committee on the city debt are hereby authorized to lend, on interest, to the city treasurer any amount so passed to their credit as aforesaid which may not be immediately wanted for the purchase or redemption of said debt.

Chapter XXXVI. Officers of the City and their Duties.

Section 1. In conformity with the laws of the state the following

officers shall be annually elected by the city council, in addition to those specially designated by the city charter, to wit * * *

Sect. 2. In addition to the officers named in the first section of this chapter, the city council shall elect annually in convention the following officers to wit * * * three commissioners of the north burial ground; * * *

Sect. 4. All the officers named in this chapter, before entering upon the duties of their respective offices, shall be severally sworn or affirmed in the form and manner provided by the laws of this state for town officers.

Chapter XLVII. Registration of Deaths.

Section 1. There shall be appointed by the city council a sufficient number of persons to act as undertakers removable at the pleasure of the city council.

Sect. 2. Whenever any person shall die in the city the physician attending in his or her last sickness shall furnish to the undertaker attending the funeral, or to the city registrar, a certificate, giving the name of the person, date of death, and the disease or cause of his or her death.

Sect. 3. No person shall bury, or place in a tomb or remove from the city, or otherwise dispose of the body of any human being who shall die in the city, without first reporting the death to the city registrar, and obtaining a permit from him.

Sect. 4. No permit shall be given as provided in section three, until the city registrar is furnished with the information in relation to the deceased person, required by the laws of the state, for record, so far as the same can be ascertained, together with the physician's certificate of the cause of death, whenever a physician has been in attendance, or a coroner's certificate, whenever a coroner's inquest has been held.

Whenever a permit for burial is applied for, in a case of death without the attendance of a physician, or if it is impossible to obtain the

physician's certificate, the city registrar shall investigate the case so far as may be necessary, and when he has obtained satisfactory evidence in relation to the cause and circumstances of the death, he shall sign the certificate and give the required permit. If not satisfied in relation to the cause and circumstances of the death, or if, in his opinion, the public good requires it, he shall report the case to a coroner for investigation.

Sect. 5. Whenever the body of a human being who has died out of the city shall be brought here for burial, the undertaker, or other person attending the funeral, shall furnish the report required in sections three and four, with the exception of the physician's certificate.

Sect. 6. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Sect. 7. The city registrar shall cause an abstract of the returns of death made to him to be published in all the newspapers which contract to do the city printing, monthly, and oftener if required by the board of health. He shall also, on or before the first day of April, annually, prepare and present to the city council a statement of the number of births, marriages and deaths which occurred in the city during the year ending with the thirty first day of December next preceding with such other information and suggestions in relation thereto as he may deem useful for the promotion of the public health, and other interests of the city.

Sect. 8. No undertaker or other person shall bury or cause to be buried the body of any deceased person in the city, except in such grounds as are or may be designated as burying grounds, and authorized to be used as such.

Sect. 9. Every person violating any provision of this chapter shall pay a fine of not less than five nor more than twenty dollars for each offence.

Chapter LIX. Of the Repeal of Prior Ordinances.

Section 1. The provisions contained in this and the preceding chapters of this ordinance shall take effect and go into operation on and after the first Monday in January in the year eighteen hundred and seventy five, unless otherwise in said ordinance expressly provided.

Sect. 2. The repeal of the ordinances hereinafter enumerated shall not affect any act done, or any right accruing or accrued, or acquired or established, or remedy for any injury thereto, or any suit or proceeding had or commenced in any civil case before the time when said repeal shall take effect.

Sect. 3. No offence committed, and no penalty, fine or forfeiture incurred under any of the ordinances hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal and no suit or prosecution pending at the time of said repeal for any offence committed, or for the recovery of any fine or penalty or forfeiture incurred under any of the ordinances hereby repealed, shall be affected by such repeal, except that the proceedings in such suit or prosecution shall be conformed when necessary to the provisions of this ordinance.

Sect. 4. All persons who at the time when said repeal shall take effect, shall hold any office under any of the ordinances hereby repealed, shall continue to hold the same under the tenure thereof, except those offices which have been abolished and those as to which a different provision shall have been made by this ordinance.

Sect. 5. No ordinance which has heretofore been repealed shall be revived by the repeal contained in this chapter of the ordinances hereby repealed.

Sect. 6. All the ordinances hereinafter mentioned described and contained in the revision of the city ordinances of the year eighteen hundred and fifty-four are hereby repealed, subject to the provisions contained in this chapter, that is to say : —

"An ordinance establishing the ordinances of the city of Providence, prescribing the time when they shall take effect and the manner of publishing the same."

"An ordinance in relation to the ordinances of the city of Providence."

"An ordinance designating the officers to be appointed annually by the city council in addition to those specially designated and required to be appointed by the city charter."

* * * *

"An ordinance in relation to the interment of the dead."

* * * *

"An ordinance in relation to the north burying ground."

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Sect. 7. All the ordinances hereinafter mentioned described and entitled and passed since the publication of the city ordinances in the year eighteen hundred and fifty-four, are hereby repealed, subject to the provisions contained in this chapter, that is to say : —

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"An ordinance in amendment of an ordinance, entitled 'An ordinance in relation to the north burying ground,'" passed November 1856.

* * * *

"An ordinance in relation to the registration of deaths and the interment of the dead," passed August 1864.

"An ordinance in amendment of an ordinance, entitled 'An ordinance in relation to the north burying ground,'" passed July 1871.

* * * *

Rules and Regulations of the Board of Aldermen. Chapter 1. Burials.

1. All burials or entombments of the bodies of deceased persons in any burial ground within the limits of the city, except in Grace Church Cemetery, Locust Grove Cemetery, Swan Point Cemetery, the Hebrew burial ground and the North burial ground are hereby prohibited.

2. All entombments of the bodies of deceased persons except in the North burial ground and Swan Point Cemetery are hereby prohibited; provided, that entombments may be made in Grace Church Cemetery, between the first day of April and the first day of November, upon condition that such bodies be removed from the tombs in which they are placed within forty-eight hours after their deposit therein; and between the first day of November and the first day of April, on condition that such bodies be removed from such tombs on or before the twentieth day of April ensuing.

3. Every person violating any of the provisions of the two next preceding rules shall, for each offence, pay a fine of not less than ten nor more than twenty dollars, or be imprisoned not less than ten nor more than sixty days.

[*Ordinances of the City of Providence, Ed. 1875, City Clerk's Office, Providence.*]

[**January 25, 1875.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1874 see City Council records No. 8 page 351. Ordered printed Jan. 4, 1875, with Sup'ts report. Resolution No. 11.

[*City Council Records No. 8, page 351.*]

[**April 12, 1875.**] No. 187. Report of the Joint Committee on the North Burying Ground. (Presented April 12, 1875.)

To The Honorable The City Council.

The standing committee on the North Burial ground, to whose attention the matters connected with the management of the North Burial ground were brought by the tenth inaugural address of his honor the mayor, respectfully present the following as a preliminary report. Your committee have held several prolonged meetings at which the commissioners of the North Burial ground were present and presented statements, that your committee, after examining the grounds for the

statements made by the commissioners, have arrived at the following conclusions unanimously.

First. That between the years 1851 and 1871 the receipts from the North Burial ground, derived from the sales of lots, from rents and from fees amounted to about $3,127.66 more than the expenditures.

Second. That since the passage in 1871, of the ordinance requiring the commissioners of the North Burial ground, to pay into the city treasury, twenty-five per cent. of the gross receipts from the grounds, it has been not only impossible to make improvements, but impossible even to keep the avenues and grounds in good repair and condition.

Third. That to day, the commissioners are in debt to the city treasurer, $323.45 and have no means wherewith to grade and put into marketable condition the larger tracts of land in their possession which may be made available for burial purposes, and are consequently unable to meet the demands of persons constantly applying to them for burial lots; that the receiving tomb contains upwards of three hundred bodies which must be removed and buried during the month of May, the greater part of which must be removed and buried at the expense of the grounds, unless some provision for such removal and burial is made by the city, and that the cost of such removal and burial will amount to one thousand dollars.

Fourth. That about eight acres of the newly purchased land lately added to the North Burial ground, is swamp land, and in its present condition is entirely unfitted for burial purposes; that to be rendered available it must first be filled in; that the highway department have a sand hill near the grounds useless to them, the sand from which would materially aid in filling in certain portions of this swamp land; that your committee are informed by his honor the mayor that the highway department will give the commissioners this sand for the purpose of filling in their grounds, but your committee represent that the commissioners have not the means to remove the sand to their grounds; that

the highway department have also several thousand loads of loam which they offer to the commissioners if they will remove the same, and although the loam is absolutely necessary for the grounds, and must soon be obtained elsewhere at the rate of from one dollar and fifty cents to two dollars per load, yet from lack of means to remove the same to their grounds, the commissioners are unable to avail themselves of so advantageous an opportunity to benefit the grounds unless this honor able body sees fit to come to their assistance.

Fifth. That although the commissioners have about one hundred and fifty thousand dollars worth of lots, which when graded, could be sold in the course of time, and although applications are daily being made for lots by persons desirous to purchase, yet from lack of means to grade and improve these lots for market, not a sale can be made All work has stopped, and the principal source of income to the grounds has ceased to be longer fruitful.

Sixth. That the commissioners who have labored gratuitously for the benefit of the city for the past twenty years, will find it impossible to carry on the grounds under the provision of the ordinance of 1871, requiring them to pay over to the city twenty five per cent. of the gross receipts from the grounds; that their services in the future will be worse than useless, and that an abandonment of the grounds and of all hope of any reimbursement for what the city has already expended on the grounds must be contemplated as a certain result, unless some appropriation for the immediate use of the commissioners is made, and an amendment to the ordinance of 1871 soon be brought to the attention of this honorable body by your committee, is favorably considered.

Therefore your committee recommend the passage of the accompanying resolution.

For the committee,

Edward C. Ames, Chairman.

[*Resolutions of the City Council No. 187, 1875.*]

[**April 15, 1875.**] No. 188. Resolution transferring $3000 to the appropriation for the North Burying Ground. (Approved April 15, 1875.)

Resolved, That the sum of three thousand dollars be, and the same is hereby transferred from the reserve fund to the North Burial Ground improvement fund.

[*Resolutions of the City Council No. 188, 1875.*]

[**April 15, 1875.**] No. 190. Resolution accepting gift of Mary Jane Sheldon, to North Burial Ground Fund. (Approved April 15, 1875.)

Resolved, That the gift of Mary Jane Sheldon, of four shares of stock in the Providence & Worcester Railroad Company, to the commissioners of the north burying ground, in trust, the income thereof to be applied under the provisions of chapter 367, of the public laws, to the preservation and care of the lot standing in the name of William Sheldon, in said ground, be and the same is hereby accepted by the city council under the name of the William Sheldon fund.

[*Resolutions of the City Council No. 190, 1875.*]

[**April 27, 1875.**] Chapter LXV.

An ordinance in amendment of chapter VII entitled "Burial Grounds" in the ordinance entitled "An ordinance comprising the ordinances of the city of Providence" (Approved April 27, 1875)

It is ordained by the City Council of the City of Providence as follows

Section 1. Section four of chapter seven of the ordinances of the city of Providence is hereby amended so as to read as follows:

Sec. 4. All rents collected from said burial grounds all fees or rewards of any kind derived therefrom, paid to the superintendent of said burial ground or to any other person, and all income of whatever description derived from said burial grounds shall be paid to the city

treasurer of the city of Providence and together with the sums received from the sale of lots in said burial ground less five cents per square foot for every square foot of land sold in said burial ground shall constitute the north burial ground improvement fund. Said five cents per square foot not going to constitute the said north burial ground improvement fund, is hereby appropriated as a sinking fund for the extinguishment of any indebtedness of the city already contracted, or which may hereafter be contracted, principal or interest on account of the purchase of land for said burial grounds.

Sec. 2. Section five of chapter seven of the ordinances of the city of Providence is hereby amended so as to read as follows.

Sec. 5. Said Commissioners are authorized to expend said north burial ground improvement funds each year in the payment of salaries and in the improvement and protection of the grounds, avenues and fences of said burial grounds: and the city treasurer is hereby directed to pay the same from time to time upon the order of said Commissioners.

A true copy witness

Samuel W. Brown.

City Clerk.

[*Ordinance Book No. 3, page 195, City Clerk's Office.*]

[**May 6, 1875.**] For the annual report on the North Burial Ground fund for the year ending April 30, 1875 see Resolution No. 245 Presented May 6 1875.

[*Resolutions of the City Council No. 245, 1875.*]

[**August 2, 1875.**] No. 422. Resolution prohibiting Interments in a portion of the North Burying Ground. (Approved August 2, 1875.)

Resolved, That interments be and they are hereby prohibited upon

that portion of the North Burying Ground estate, lying east of the easterly line of Sexton street, as originally laid out.
[*Resolutions of the City Council No. 422, 1875.*]

[**August 10, 1875.**] No. 471. Resolution appointing a Joint Special Committee to settle with heirs of Edward Randall. (Approved August 10, 1875.)

Resolved, That Messrs, Spencer, Pegram, A. J. Barnaby Johnson and Paine, of the common council, with Messrs Eaton and Metcalf, of the board of aldermen, are hereby appointed a committee, with full powers to finally settle and adjust all matters in controversy, between the city of Providence and the heirs of Edward Randall, relative to the title to the tract of land lying between Sexton street and the Pawtucket turnpike, claimed respectively by said city of Providence and said Randall heirs.
[*Resolutions of the City Council No. 471, 1875.*]

[**September 6, 1875.**] No. 499. Resolution accepting Bequest of Mary Goodacre to the North Burial Ground Fund. (Approved, September 6, 1875.)

Resolved, That the bequest of Mary Goodacre of the sum of one hundred dollars, in accordance with her will dated September 29, 1873, be hereby accepted by the city council.

Resolved, That the city treasurer is hereby authorized to receive from the estate of Mary Goodacre, the said sum of one hundred dollars, and directed to transfer the same to the commissioners of the north burying ground in trust, for the purpose named in said will: said commissioners acting as trustees in the place and stead of the city of Providence, and under the provisions of chapter 367 of the statutes of the state.
[*Resolutions of the City Council No. 499, 1875.*]

[**November 4, 1875.**] No. 688. Resolution accepting gift of Gardner B. Pettis, to the North Burying Ground Fund. (Approved November 4, 1875.)

Resolved, That the gift of Gardner M. Burgess and Thomas M. Rounds, executors of the last will of Gardner B. Pettis, late of Johnston, deceased, of the sum of two hundred dollars to the commissioners of the north burying ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot of Gardner B. Pettis and Harriet A. Pettis, in said ground, is hereby accepted by the city council, and that the same be called the Gardiner B. Pettis fund.

[*Resolutions of the City Council No. 688, 1875.*]

[**November 4, 1875.**] No. 689. Resolution accepting gift of the heirs of Daniel Pettey, to the North Burying Ground Fund. (Approved November 4, 1875.)

Resolved, That the gift of Gardner M. Burgess and Thomas M. Rounds, executors of the last will of Gardner B. Pettis, late of Johnston, deceased, of the sum of one hundred dollars to the commissioners of the north burying ground, in trust, the income thereof to be applied under the provisions of chapter 367, of the public laws, to the preservation and care of the burial lot of the heirs of Daniel Pettey, in said ground, is hereby accepted by the city council, and that the same be called the Daniel Pettey fund.

[*Resolutions of the City Council No. 689, 1875.*]

[**December 2, 1875.**] No. 718. Resolution transferring $5,000 to the North Burying Ground Improvement Fund. (Approved December 2, 1875.)

Resolved, That the sum of five thousand dollars be and the same is

hereby transferred from the reserved fund to the north burying ground improvement account.

(For report accompanying the above, see city document No. 46, on file in City Clerk's Office.)

[*Resolutions of the City Council No. 781, 1875.*]

[**December 13, 1875.**] No. 745. Resolution accepting gift of Elizabeth E. Gardner, to the North Burial Ground Fund. (Approved December 13, 1875.)

Resolved, That the bequest of Elizabeth E. Gardner of the sum of one hundred dollars, in accordance with her will, dated August 15, 1874, be hereby accepted by the city council.

Resolved, That the city treasurer is hereby authorized to receive from the estate of Elizabeth E. Gardner, the said sum of one hundred dollars, and directed to transfer the same to the commissioners of the north burying ground, in trust, for the purposes named in said will: said commissioners acting as trustees in the place and stead of the city of Providence, and under the provisions of chapter 367, of the statutes of the state.

[*Resolutions of the City Council No. 745, 1875.*]

[**Decmber 23, 1875.**] No. 768. Message from the Mayor relating to Insurance on buildings at the North Burial Ground. (Presented, December 23, 1875.)

Mayor's Office,
City of Providence, Dec. 23, 1875.

Gentlemen of the City Council:—

The buildings upon that portion of the north burial ground estate, known as the Corliss purchase, are insured for the sum of fifteen thousand dollars, the policies for which expire on the 29th instant.

There are no other buildings owned by the city that are insured against loss by fire, and in view of this fact the commissioners of the

north burial ground deemed it inexpedient to renew the policies, unless instructed to do so by the city council It will be remembered that the notes given for the Corliss purchase do not mature until 1880, and it may be deemed proper to keep the buildings insured until that time, and provide that in case of loss the insurance shall be paid to the board of commissioners of sinking funds, to be applied to the sinking fund for the burial ground.

I recommend that action be at once taken in the matter without the delay which a reference to a committee would involve, in order that a decision may be arrived at prior to the expiration of the policies.

Thomas A. Doyle, Mayor.

[*Resolutions of the City Council No. 768, 1875.*]

[**December 27, 1875.**] No. 769. Resolution for effecting Insurance on buildings at the North Burial Ground. (Approved December 27, 1875.)

Resolved, That the commissioners of the north burial ground are hereby instructed to cause the buildings in said ground, purchased of William Corliss, to be insured for the term of five years, for the sum of fifteen thousand dollars, with a proviso that in case of loss, said sum be paid to the commissioners of sinking funds.

[*Resolutions of the City Council No. 769, 1875.*]

[**January 27, 1876.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1875 see City Council records No. 9 page 79. Ordered printed Jan. 3, 1876, with Sup'ts report—Resolution No. 8.

[*City Council Records No. 9, page 79.*]

[**May 15, 1876.**] For the annual report on the North Burial Ground fund for the year ending Apr. 30, 1876, see No. 303, Resolutions of 1876, Approved May 19, 1876.

[*Resolutions of the City Council No. 303, 1876.*]

[**October 19, 1876.**] No. 609. Resolution repealing No. 422, 1875 prohibiting interments in North Burial Ground. (Approved October 19, 1876.)

Resolved, That resolution number four hundred and twenty-two, approved August 2, 1875, prohibiting interments in a certain portion of the north burying ground is hereby repealed.

[*Resolutions of the City Council No. 609, 1876.*]

[**December 7, 1876.**] No. 687. Report of Joint Committee on the North Burial Ground in relation to the suits of the Heirs of Edward Randall, and the claim of Edward P. Knowles. (Presented December 7, 1876.)

To the Honorable the City Council of the City of Providence:

The committee on the north burial ground, to whom was referred the report of the joint special committee appointed to settle all difficulties between the city of Providence and the Randall heirs, relative to the title of a certain tract of land, located between the Pawtucket pike and Sexton street, and forming a part of the north burial ground, respectfully report:

That they have carefully examined into the merits of the controversy, and recommend the purchase of Nathaniel S. Mowry and Alice Gannon and others, of their estates between North Main street and the north burial ground, for a sum not exceeding ten thousand dollars, and that the same be taken into the north burial ground enclosure.

The Randall heirs to quit claim to the city of Providence, all their right, title and interest to the land in controversy now in the north burial ground enclosure.

That burials shall be forever prohibited in that portion of the north burial ground, bounded on North Main street, within one hundred and fifteen feet of said street as now located, and that the said portion of the said grounds, within the one hundred and fifteen feet aforesaid, shall

be known as "Randall park," and be planted with trees and otherwise beautified as soon as convenient to the city of Providence. And it is understood that such part of Randall park as may hereafter be required to widen North Main street, shall be used for that purpose without expense to the city of Providence.

That Mr. Knowles be reimbursed for all expenses incurred in obtaining authority from the courts to sell the Randall farm, and also all suits now pending between the Randall heirs and the city of Providence, upon the submission to judgment of the said Randall heirs in all of said suits; providing such sum shall not exceed one thousand dollars.

In closing their report, your committee take great pleasure in bearing testimony to the liberality of the Randall heirs and their representative before your committee Mr. Edward P. Knowles.

For the Committee,

Edward C. Ames, Chairman.

Providence, Dec. 7, 1876.

[*Resolutions of the City Council No. 687, 1876.*]

[**December 11, 1876.**] No. 688. Resolution to purchase land of Nathaniel S. Mowry and Alice Gannon and others, for the North Burial Ground. (Approved December 11, 1876.)

Resolved, That the committee on the north burial ground is hereby authorized to purchase for the city of Providence, the estates of Nathaniel S. Mowry, Alice Gannon and others, between North Main street and the north burial ground, for a sum not exceeding ten thousand dollars, and that the city treasurer be authorized and directed to pay for the same upon the receipt of a deed or deeds therefor, satisfactory to the city solicitor; and said treasurer is hereby authorized to hire said amount of money under the direction of the committee on finance.

[*Resolutions of the City Council No. 688, 1876.*]

[**December 11, 1876.**] No. 689. Resolution for the settlement of the suits of the Heirs of Edward Randall, and the claim of Edward P. Knowles in relation to the North Burial Ground. (Approved December 11, 1876.)

Resolved, That his honor the mayor is hereby authorized to make and execute a writing on the part of the city, with the Randall heirs, so called, to carry into effect the agreement made by the committee on north burial ground, in conformity with the statement thereof, as appears in the report of said committee, as made to the board of aldermen, December 7, 1876, whenever he shall receive from said Randall heirs, a quit-claim deed to the city of all their right, title and interest to the land in controversy in the north burial ground enclosure.

And resolved further, that Edward P. Knowles be reimbursed for all expenses incurred in obtaining authority from the courts to sell the Randall farm, and also all costs of suits now pending between the Randall heirs and the city of Providence, upon the submission to judgment of said Randall heirs in all suits and proceedings between them and the city of Providence, its officers and agents

Provided, however, such sum shall not exceed one thousand dollars: and the city treasurer is hereby authorized to pay the same upon the certificate of the city solicitor, that such submissions to judgment have been made: and said treasurer is hereby authorized to hire said amount of money under the direction of the committee on finance.

[*Resolutions of the City Council No. 689, 1806.*]

[**December 15, 1876.**] Alice Gannon to City of Providence—$7000—Quitclaim A certain lot of land situate on the westerly side of North Main street in said Providence. Said lot is bounded on the east by North Main street on the north by land now or formerly of the Randall heirs and on the west by the North Burial Ground (Sexton street before it was declared useless being the westerly bound) and on

the south by land of N. S. Mowry. Being the same lot conveyed to me by deed from William Morris dated March 16, A. D. 1852 recorded in the Recorder of Deeds office in the City of Providence in book No. 129 at page 224 meaning and intending to convey all the real estate I own lying between the westerly side of North Main street and the North End Burial Ground.

[*Deed Book No. 291, page 85.*]

[**December 23, 1876.**] Nathaniel S. Mowry to City of Providence —$3000.—Warranty That lot of land on the easterly side of North Main street in said Providence bounded and described as follows: Easterly on said street about 53 (fifty-three) feet Northerly on land now or formerly of John Gannon & wife 134 (one hundred thirty four) feet more or less. Westerly on Sexton street 69 (sixty-nine) feet more or less and southerly on a thirty foot street 138 (one hundred thirty eight) feet more or less Being a portion of the land conveyed to me by Henry Morris by deed on record in said Providence in deed book No. 159 page 25 also all my right title and interest in and to the said thirty foot street lying southerly of the above described premises.

[*Deed Book No. 259, page 293.*]

[**February 1, 1877.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1876 see City Council records No. 9. page 342.

Ordered printed Jan. 1, 1877 with Sup'ts report Resolution No. 7.

[*Resolutions of the City Council Nos. 7 & 57, 1877.*]

[**March 1, 1877.**] No. 123. Resolutions appropriating $2000 to give Employment to the Poor, on work at the North Burial Ground. (Approved March 1, 1877.)

Resolved, That the commissioners of the north burial ground are hereby authorized to employ on such work in said burial ground, as they

may deem expedient, certain poor persons that shall be recommended to them by the overseer of the poor or the committee on the north burial ground.

Resolved, That the city treasurer be and he is hereby authorized to hire the sum of two thousand dollars, to carry the above resolution into effect.

[*Resolutions of the City Council No. 123, 1877.*]

[**March 1, 1877.**] Vashti W. Angell by gdn., et al to City of Providence—$1.00—Quitclaim All the right title interest property claim or demand which we or either of us or the said Vashti W. Angell or Edward R. Knowles now have or of right ought to have or claim in and to all that tract of land now wholly or in part included in the North Burying Ground in said Providence as enclosed by said City and bounded and described as follows, namely, Northerly on the William Randall farm so called now owned by said City, northeasterly and easterly on the Power Road and North Main street, southerly on the Gannon estate recently purchased by said City and westerly on said burying ground as formerly enclosed and maintained.

[*Deed Book No. 312, page 418.*]

[**March 29, 1877.**] No. 169. Resolution accepting gift of Thomas M. Knight, to the North Burial Ground Fund. (Approved March 29, 1877.)

Resolved, That the gift of Thomas M. Knight, of the sum of one hundred dollars to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Thomas M. Knight, in said ground be and the same is hereby accepted by the city council under the name of Thomas M. Knight fund.

[*Resolutions of the City Council No. 169, 1877.*]

[**May 7, 1877.**] For the annual report on the North Burial Ground fund for the year ending Apr 30, 1877 see Nos. 254 & 255 Resolutions of 1877, Approved May 7, 1877.
[*Resolutions of the City Council Nos. 254-5, 1877.*]

[**June 14, 1877.**] No. 364. Resolution in relation to tenure of lots in North Burial Ground. (Presented June 14, 1877.)

Resolved, That the joint standing committee on ordinances be and they hereby are instructed to ascertain and report to the city council, the tenure upon which the lots in north burial ground are now held, and to further recommend any action they may deem advisable in the premises.
[*Resolutions of the City Council No. 364, 1877.*]

[**July 16, 1877.**] No. 425. Resolution accepting gift of Robert Eccles to the North Burial Ground Fund. (Approved July 16, 1877.)

Resolved, That the gift of Robert Eccles, of the sum of one hundred and fifty dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot conveyed to the heirs of Caleb Chace, in said ground, be and the same is hereby accepted by the city council, and that the same be called the Robert Eccles fund.
[*Resolutions of the City Council No. 425, 1877.*]

[**September 24, 1877.**] No. 538. Resolution to set apart a lot in the North Burial Ground for the Home for Aged Men. (Passed Sept. 24, 1877.)

Resolved, That the commissioners of the north burying ground, and the joint standing committee of the city council on said ground, be and they are hereby requested to set apart for burial purposes, a lot of land in the north burial ground, to the society called "Home for Aged Men,"

to be held by the society subject to the ordinances of the city council, and all future legislation in relation thereto, and report their doings to this council

[*Resolutions of the City Council No. 538, 1877.*]

[**September 27, 1877.**] No. 572. Resolution accepting gift of Aaron S. Haven, to the North Burial Ground Fund. (Approved September 27, 1877.)

Resolved, That the gift of Aaron S. Haven, of the sum of two hundred dollars, to the commissioners of the north burying ground, in trust, the income thereof to be applied, under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lots standing in the names of Aaron S. Haven and Julius P. Bullock in said ground, be and the same is hereby accepted by the city council, and that the same be called the Haven and Bullock fund.

[*Resolutions of the City Council No. 572, 1877.*]

[**October 2, 1877.**] No. 580. Resolution accepting gift of John P. Knowles, Executor, to the North Burial Ground Fund. (Approved October 2, 1877.)

Resolved, That the gift of John P. Knowles, executor of the last will of Fanny Mason, of the city of Providence, deceased, of the sum of one hundred and fifty dollars to the commissioners of the north burial ground in trust, the income thereof to be applied under the provisions of chapter 367, of the public laws, to the preservation and care of the burial lot conveyed to Obadiah Mason, in said ground, be and the same is hereby accepted by the city council, and that the same be called the Obadiah Mason fund.

[*Resolutions of the City Council No. 580, 1877.*]

[**November 5, 1877.**] No. 641. Resolution accepting gift of Frederick Miller executor of the will of Jane Congdon, to the North Burial Ground Fund. (Approved November 5, 1877.)

Resolved, That the gift of Frederick Miller, executor of the last will of Jane Congdon, of the city of Providence, deceased of the sum of fifty dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot conveyed to Frederick Miller, trustee for the heirs of Jane Congdon, in said ground be and the same is hereby accepted by the city council; and that the same be called the Jane Congdon fund.

[*Resolutions of the City Council No. 641, 1877.*]

[**January 7, 1878.**] No. 13. Declination of Hon. Zachariah Allen, Commissioner of the North Burial Ground. (Presented January 7, 1878.)

Providence Jan. 7, 1878.

To the Honorable the City Council of the City of Providence: —

After a service of more than thirty years as commissioner of the north burial ground, I respectfully decline a re-election to this office, trusting that it will be filled by a more able successor.

Very Respectfully,

Zachariah Allen.

[*Resolutions of the City Council No. 13, 1878.*]

[**January 7, 1878.**] No. 14. Resolution of Thanks to Hon. Z. Allen, Commissioner of the North Burial Ground. (Approved January 7, 1878.)

Resolved, That the thanks of the city council are hereby tendered to the Hon. Zachariah Allen, for his long continued and faithful services as commissioner of the north burial ground.

[*Resolutions of the City Council No. 14, 1878.*]

[**January 24, 1878.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1877 see No.

29, Resolutions of 1878 approved Jan. 24, 1878. Ordered printed Jan. 7, 1878 with Sup'ts report Resolution No. 7.
[*Resolutions of the City Council Nos. 29 & 7, 1878.*]

[**January 24, 1878.**] No. 38. Report of Special Committee to set apart a lot in the North Burial Ground for the Home for Aged Men. (Presented January 24 1878.)

The commissioners of the north burial ground and the joint standing committee on the north burial ground, who were directed by resolution of the city council passed September 24th, 1877, to lay out and designate a lot of land as a burying ground for the society called "Home for Aged Men," respectfully report, that they have attended to the duty assigned them, and have marked out a plat of ground, adjoining on the south, the tomb lot of the late Governor Fenner: said lot containing thirty-three hundred and twenty square feet, more or less: and a plat of the same accompanies this report.

Respectfully submitted for the Committee,

Andrew Winsor, Chairman.

Providence January 21, 1878.
[*Resolutions of the City Council No. 38, 1878.*]

[**February 4, 1878.**] No. 67. The following resolution is read and passed.

Resolved, That the joint committee on ordinances are hereby instructed to inquire into, and report upon, the subject of the election of constables, commissioners of the north burial ground, and highway commissioners; and upon their tenure of office.
[*Resolutions of the City Council No. 67, 1878.*]

[**February 11, 1878.**] No. 77. Resolution to transfer the Property in the hands of the Commissioners of the North Burial Ground. (Approved February 11, 1878.)

Resolved, that the joint committee on the north burial ground, are

hereby instructed to transfer all books, papers and property, in the hands of the late commissioners of the north burial ground, to the newly elected commissioners.

[*Resolutions of the City Council No. 77, 1878.*]

[**February 11, 1878.**] No. 78. Resolution of thanks to Willlam Earle, late Commissioner of the North Burial Ground. (Approved February 11, 1878.)

Resolved, that the thanks of the city council be hereby tendered to William Earle Esq., commissioner of the north burial ground and treasurer of the commission, for the services so many years rendered by him, and the unceasing interest he has taken in the welfare of the north burial ground.

[*Resolutions of the City Council No. 78, 1878.*]

[**February 11, 1878.**] No. 79. Resolution of thanks to Andrew Winsor late Commissioner of the North Burial Ground. (Approved February 11, 1878.)

Resolved, that the thanks of the city council, be and they are hereby tendered to Andrew Winsor, Esq., for the able and efficient manner in which he has performed the duties of commissioner of the north burial ground.

[*Resolutions of the City Council No. 79, 1878.*]

[**February 11, 1878.**] No. 81. Resignation of Andrew Winsor, Commissioner of the North Burial Ground.

Providence, February 11, 1878.

To the Honorable City Council:

I hereby tender my resignation as commissioner of the north burial ground.

Very respectfully yours,

Andrew Winsor.

Read, whereupon it is ordered that the same be accepted.

[*Resolutions of the City Council No. 81, 1878.*]

[**February 11, 1878.**] No. 82. Declination of William Earle, Commissioner of the North Burial Ground.

Providence, February 11, 1878.

To the Honorable the City Council of the City of Providence:

Gentlemen: — I hereby decline a re-election to the office of commissioner of the north burial ground for the ensuing year.

The city council will please appoint a committee to receive and receipt for the trust funds, which I hold as treasurer of the commissioners.

Yours respectfully,

William Earle.

The following persons are elected Commissioners of the North Burial Ground, Viz:

Robert H. I. Goddard, Augustus Hoppin,

Oren Westcott.

[*Resolutions of the City Council No. 82, 1878.*]

[**March 18, 1878.**] No. 141. Message from the Mayor with the declination of R. H. I. Goddard and Augustus Hoppin, Commissioners of the North Burial Ground. (Presented March 18, 1878.)

Mayor's Office, City of Providence

March 18, 1878.

Gentlemen of the City Council:

I regret to announce to you that Messrs. Robert H. I. Goddard and Augustus Hoppin, who were elected Commissioners of the North Burial Ground, by the city council on the 11th ultimo, have declined to accept the office. I transmit herewith their letters of declination and suggest that the vacancies be filled at an early day.

Thomas A. Doyle, Mayor.

Providence, March 16, 1878.

Hon. Thomas A. Doyle, Mayor:

Dear Sir: — It is impossible for me to accept the position of Com-

missioner of the North Burial Ground, to which I was elected February 11, 1878, and I beg most respectfully to decline the same.

I am, very respectfully your obedient servant

R. H. I. Goddard.

[*Resolutions of the City Council No. 141, 1878.*]

[**March 18, 1878.**] Samuel W. Brown, City Clerk:

Dear Sir:—I hereby most respectfully decline the position as one of the Commissioners of the North Burial Ground. An indisposition of some days, has prevented me from acknowledging the receipt of this commission, and from taking definite action thereon.

I am very respectfully, your obedient servant

Augustus Hoppin.

Providence, 8th, March, 1878.

[*Resolutions of the City Council No. 141, 1878.*]

[**April 11, 1878.**] No. 182. Resolution accepting gift of Susan F. Carlisle to the North Burial Ground Fund. (Approved April 11, 1878.)

Resolved, That the gift of Susan F. Carlisle of the sum of two hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Carlisle in said ground, be and the same is hereby accepted by the city council, under the name of Susan F. Carlisle fund.

[*Resolutions of the City Council No. 182, 1878.*]

[**May 6, 1878.**] No. 241. Report of the Joint Committee on the North Burial Ground. (Presented May 6, 1878.)

To the Hon. City Council:

The joint committee on the north burial ground, who by resolution No. 77, were instructed to transfer the property in the hands of the late commissioners of the north burial ground, to their successors in

office, respectfully report, that they have performed the duty assigned them, and have made the transfer, and that the receipt given by the new commissioners has been deposited with the city auditor.

Andrew Winsor, Chairman.

Providence May 4 1878.

[*Resolutions of the City Council No. 241, 1878.*]

[**May 23, 1878.**] No. 254. Resolution accepting gift of $1,000 from Sophia Augusta Brown to the North Burial Ground Fund, to constitute the John Carter Brown Fund. (Approved May 23, 1878.)

Resolved, That the gift of Sophia Augusta Brown of the sum of one thousand dollars, to the commissioners of the north burial ground in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of John Carter Brown, in said ground, be and the same is hereby accepted by the city council, under the name of the John Carter Brown fund.

[*Resolutions of the City Council No. 254, 1878.*]

[**May 23, 1878.**] No. 255. Resolution accepting the gift of $400 from Sophia Augusta Brown to the North Burial Ground Fund to constitute the Harriet Brown Fund. (Approved May 23, 1878.)

Resolved, That the gift of Sophia Augusta Brown of the sum of four hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Harriet Brown and heirs, Lucy Thayer and Harriet A. Thayer and heirs, and Harriet Brown's heirs, and Williams Thayer's heirs in said ground, be and the same is hereby accepted by the city council under the name of the Harriet Brown fund.

[*Resolutions of the City Council No. 255, 1878.*]

[**June 3, 1878.**] For the report of the Commissioners of the North Burial Ground on the trust funds for the thirteen months ending May 31, 1878 see No. 276-7, Resolutions of 1878, presented June 3, 1878 and approved the same day.
[*Resolutions of the City Council Nos. 276-7, 1878.*]

[**June 3, 1878.**] No. 285. Resolution accepting gift of Mary Demont Bowen to the North Burial Ground Fund. (Approved June 3, 1878.)

Resolved, That the bequest of Mary Demont Bowen, of the sum of two hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Bowen in said ground, be and the same is hereby accepted by the city council, under the name of the Demont fund.
[*Resolutions of the City Council No. 285, 1878.*]

[**July 10, 1878.**] No. 349. Resolution accepting gift of Cutting S. Calef to the North Burial-Ground Fund. (Approved July 10, 1878.)

Resolved, That the gift of Cutting S. Calef of the sum of two hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the heirs of Richard Sanders in said ground, be and the same is hereby accepted by the city council, under the name of the Cutting S. Calef fund.
[*Resolutions of the City Council No. 349, 1878.*]

[**July 10, 1878.**] No. 350. Resolution accepting gift of Horace Martin to the North Burial Ground Fund. (Approved July 10, 1878.)

Resolved, That the gift of Horace Martin of the sum of one hun-

dred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Horace Martin in said ground, be and the same is hereby accepted by the city council, under the name of the Horace Martin fund.

[*Resolutions of the City Council No. 350, 1878.*]

[**July 10, 1878.**] No. 351. Resolution accepting gift of Mary Low Newcomb to the North Burial-Ground Fund. (Approved July 10, 1878.)

Resolved, That the bequest of Mary Low Newcomb of the sum of one hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the heirs of Simon Dean in said ground, be and the same is hereby accepted by the city council, under the name of the Mary Low Newcomb fund.

[*Resolutions of the City Council No. 351, 1878.*]

[**July 10, 1878.**] No. 352. Resolution accepting Gift of William D. Sherman, Administrator, to the North Burial-Ground Fund. (Approved July 10, 1878.)

Resolved, That the gift of William Davis Sherman, administrator, of the sum of one hundred dollars, to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Sherman, administrator, in said ground, be and the same is hereby accepted by the city council, under the name of the William D. Sherman, administrator, fund.

[*Resolutions of the City Council No. 352, 1878.*]

[**July 25, 1878.**] No. 359. Resolution accepting the gift of Daniel Crawshaw to the North Burial Ground Fund. (Approved July 25, 1878.)

Resolved, That the gift of Daniel Crawshaw of sixty dollars, to the commissioners of the north burial ground in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Crawshaw in said ground, be and the same is hereby accepted by the city council, under the name of the Daniel Crawshaw fund.

[*Resolutions of the City Council No. 359, 1878.*]

[**September 16, 1878.**] No. 435. Resolution accepting gift of William D. Davis to North Burial Ground Fund. (Approved September 16, 1878.)

Resolved, That the gift of William D. Davis of the sum of two hundred dollars, to the commissioners of the north burial ground, in trust; the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Davis in said ground, be and the same is hereby accepted by the city council, under the name of the William D. Davis fund.

[*Resolutions of the City Council No. 435, 1878.*]

[**September 16, 1878.**] No. 436. Resolution accepting gift of R. H. Thurston to the North Burial Ground Fund. (Approved September 16, 1878.)

Resolved, That the gift of R. H. Thurston of the sum of one hundred dollars, to the commissioners of the north burial ground, in trust; the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing

in the name of said Thurston in said ground, be and the same is hereby accepted by the city council under the name of the R. H. Thurston fund.

[*Resolutions of the City Council No. 436, 1878.*]

[**January 20, 1879.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1879 see No. 37 Resolutions of 1879 presented Jan. 20, 1879 and approved Feb. 1, 1879 Ordered printed Jan. 6, 1879 with Sup'ts report Resolution No. 7. [*Resolutions of the City Council Nos. 37 & 7, 1879.*]

[**February 13, 1879.**] No. 79. Resolution to pay Mrs. Sarah Sweet the sum of sixty-nine dollars and sixty cents. (Approved February 13, 1879.)

Resolved That the city treasurer is hereby directed to pay to Mrs. Sarah Sweet the sum of sixty-nine dollars and sixty cents, being the amount paid by her to the city for a lot of land in the North Burial Ground, and for which sum the city executed its deed of said lot to the heirs of Menzies Sweet, August 29, 1876, the said city having previously, July 15, 1848, executed and delivered to said Menzies Sweet its deed of the same lot; said payment to be charged to the North Burial Ground account.

[*Resolutions of the City Council No. 79, 1879.*]

[**April 5, 1879.**] No. 143. Resolution accepting gift of Edward S. Thurber, to the North Burial Ground Fund. (Approved April 5, 1879.)

Resolved, That the gift of Edward S. Thurber of the sum of one hundred dollars to the commissioners of the north burial ground in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot

standing in the name of the "heirs of Edward Thurber," in said ground, be and the same is hereby accepted by the city council under the name of the Edward Thurber fund.

[*Resolutions of the City Council No. 143, 1879.*]

[**May 27, 1879.**] No. 240. Resolution to lay Water Pipes and set Hydrants in the North Burial Ground. (Approved May 27, 1879.)

Resolved, That the water commissioners are hereby directed to lay water pipes and set hydrants in the north burial ground, in accordance with the plans in the water department, estimated to cost about seventeen hundred and thirty-five dollars.

[*Resolutions of the City Council No. 240, 1879.*]

[**June 30, 1879.**] No. 301. Annual Report of the Commissioners of the North Burial Ground, upon the Receipts and Expenditures of the Trust Fund. (Presented June 30, 1879.)

City Council file, June 30, 1879.

[*Resolutions of the City Council No. 301, 1879.*]

[**June 30, 1879.**] No. 302. Annual Report of the Commissioners of the North Burial Ground upon the Trust Funds. (Presented June 30, 1879.)

City Council file, June 30, 1879.

[*Resolutions of the City Council No. 302, 1879.*]

[**September 20, 1879.**] No. 395. Resolution directing the City Treasurer to refund to Mary A. Covell the sum of thirty-nine dollars and sixty cents. (Approved September 20, 1879.)

Resolved, That the city treasurer is hereby directed to pay to Mary A. Covell the sum of thirty-nine dollars and sixty cents, being the amount paid by her in 1877 for a lot in the north burial ground, of

which she already held a deed from the city, executed in 1848 to her predecessors in title; said payment to be charged to the account of the north burial ground.

[*Resolutions of the City Council No. 395, 1879.*]

[**November 3, 1879.**] No. 467. Message of the Mayor relative to purchasing of land for the North Burial Ground. (Presented November 3, 1879.)

City of Providence,
Executive Department, City Hall,
November 3, 1879.

Gentlemen of the City Council:

The North Burial Ground contains upward of one hundred and twenty acres of land, a portion of which, say about fifteen acres, is so swampy as to be unfit for burial purposes, unless filled to a sufficient depth to permit graves to be dug therein.

On the west of and adjoining the railroad bed of the Providence and Worcester Railroad Company and the Boston and Providence Railroad Company is a tract of land containing about two and three quarter acres, belonging to Hon. Edward P. Knowles, which he will sell to the city on proper terms. This parcel of land adjoins land recently purchased by the Providence and Worcester Railroad Company, and upon both tracts there is considerable elevation of sand excellent for filling the low portion of the cemetery, and is so near thereto as to be easily available for the purpose.

The quantity of earth which can be removed from the land of Mr. Knowles will be from eighty thousand to one hundred thousand cubic yards and will be determined by the grades which may be hereafter established on the streets in the vicinity thereof.

This earth will make about five acres of saleable lots in the burial ground, which at present selling prices will yield upwards of seventy-five thousand dollars.

The removal of earth will also furnish employment during the winter season for the unemployed, who, as usual will be pressing the overseer of the poor for aid or work.

I recommend the purchase of the land by the city, and that in the resolution giving authority therefor there be included a provision that when the land has been graded it shall be sold under the direction of the committee on city property and the proceeds thereof returned to the city treasury, to balance the outlay therefor.

Thomas A. Doyle, Mayor.

[*Resolutions of the City Council No. 467, 1879.*]

[**November 11, 1879.**] No. 468. Resolution referring the message of the Mayor, relative to the purchase of land for the North Burial Ground. (Approved November 11, 1879.)

Resolved, That the Mayor's message dated November 3, 1879, relative to the purchase of land for the purpose of filling certain swampy portions of the north burial ground, be referred to the joint committee on the north burial ground to examine and report thereon.

[*Resolutions of the City Council No. 468, 1879.*]

[**January 3, 1880.**] No. 544. Resolution setting apart a lot in the North Burial Ground, to the Providence Police Association. (Approved January 3, 1880.)

Resolved, That the commissioners of the north burying ground, and the joint standing committee of the city council on said ground, be and they are hereby requested to set apart for burial purposes, a lot of land in the north burial ground, to the "Providence Police Association," to be held by said association subject to the ordinances of the city council, and all future legislation in relation thereto, and report their doings to the city council.

[*Resolutions of the City Council No. 544, 1880.*]

[**January 3, 1880.**] No. 550. Resolution accepting gift of Elizabeth Higginson Weeden, to the North Burial Ground Fund. (Approved January 3, 1880.)

Resolved, That the gift of Elizabeth Higginson Weeden of the sum of one hundred dollars to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Weeden, in said ground, be and the same is hereby accepted by the city council under the name of the Elizabeth Higginson Weeden fund.

[*Resolutions of the City Council No. 550, 1880.*]

[**January 3, 1880.**] No. 551. Resolution accepting gift of Elizabeth Higginson Weeden to the North Burial Ground Fund. (Approved January 3, 1880.)

Resolved, That the gift of Elizabeth Higginson Weeden of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Stephen Arnold Aplin in said ground, be and the same is hereby accepted by the city council under the name of the Stephen Arnold Aplin fund.

[*Resolutions of the City Council No. 551, 1880.*]

[**January 3, 1880.**] No. 552, Resolution accepting gift of Harriet M. Remington, to the North Burial Ground Fund. (Approved January 3, 1880.)

Resolved, That the gift of Harriet M. Remington of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in

the name of William Henry Simmons in said ground, be and the same is hereby accepted by the city council under the name of the William Henry Simmons fund.

[*Resolutions of the City Council No. 552, 1880.*]

[**January 19, 1880.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1879, see No. 33 Resolutions of 1880, presented Jan. 19, 1880. Ordered printed Jan. 13, 1880, with Sup'ts report, Resolution No. 4.

[*Resolutions of the City Council Nos. 33 & 4, 1880.*]

[**January 24, 1880.**] No. 38. Resolution accepting gift of Thomas J. Carpenter, to the North Burial Ground Fund. (Approved January 24, 1880.)

Resolved, That the gift of Thomas J. Carpenter, executor, of the sum of one hundred dollars to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of James H. Sabin, in said ground, be and the same is hereby accepted by the city council under the name of the James H. Sabin fund.

[*Resolutions of the City Council No. 38, 1880.*]

[**January 24, 1880.**] No. 39. Resolution accepting gift of Frederick Miller, Executor, to the North Burial Ground Fund. (Approved January 24, 1880.)

Resolved, That the gift of Frederick Miller, executor, of the sum of fifty dollars to the commissioners of the north burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Susan J. Winsor in said ground be and the same is hereby accepted by the city council under the name of the Susan J. Winsor fund.

[*Resolutions of the City Council No. 39, 1880.*]

[**February 2, 1880.**] No. 46. Thanks of the Providence Police Association, for gift of lot in North Burial Ground. (Presented February 2, 1880.)

To the Honorable the City Council of the City of Providence:

At the annual meeting of the members of the Providence Police Association held this day, the secretary was instructed to convey their thanks to the honorable city council of the city of Providence for the favor accorded them, by their action in setting apart a burial lot in the North Burial Ground, for the use of the deceased members of said association.

Seth L. Horton, Secretary.

Providence, January 12, 1880.

[*Resolutions of the City Council No. 46, 1880.*]

[**February 19, 1880.**] In City Council. Chapter CXLVII. No. 66. An Ordinance in amendment of Chapter XXXVI of the Ordinances of the City of Providence, "Officers of the City and their duties." (Passed in Board of Aldermen, February 2, 1880. Passed in Common Council, February 2, 1880. Became a law upon the adjournment of the Board of Aldermen, February 19, 1880.)

It is ordained by the City Council of the City of Providence as follows:

Section 1. A commission shall issue to every person elected to any of the offices enumerated in this chapter.

Section 2. Every person so elected to office shall, within thirty days after the date of his commission, duly engage himself to the faithful performance of the duties of office, before the city clerk, who shall keep a record thereof.

[*Resolutions of the City Council No. 66, 1880.*]

[**March 4, 1880.**] Chapter 791. An Act in addition to Chapter 230 of the General Statutes, "Of Offences against Private Property."

It is enacted by the General Assembly as follows:

Section 1. Section 21 of Chapter 230, of the General Statutes is

hereby amended by inserting in line 6, after the words "public square" the words "or who shall take and carry away, without the consent of the owner thereof, any cultivated plant, tree or shrub from any graveyard, or from any public or private grounds or who shall wantonly or maliciously injure or destroy any plant or shrub growing upon the land or in the building of another, or who shall poison the earth about such plant or shrub so as to prevent or injure the growth thereof" so that said section shall read as follows.

"Section 21. Every person who shall take and carry away without the consent of the owner thereof, any corn, grain, fruit or growing vegetable out of any field, garden or orchard, or shall maliciously root up cut down, or otherwise injure or destroy any tree, root fruit or vegetable growing in any garden, field, orchard, highway common or public square; or who shall take and carry away, without the consent of the owner thereof, any cultivated plant tree or shrub from any graveyard, or from any public or private grounds or who shall wantonly or maliciously injure or destroy any plant or shrub growing upon the land or in the building of another, or who shall poison the earth about such plant or shrub so as to prevent or injure the growth thereof; or who shall maliciously or wantonly in any way injure or deface any building not his own, or break the glass or any part of it in any such building; or shall maliciously injure any fence on or enclosing lands not his own shall be imprisoned not exceeding one year, or be fined not exceeding two hundred dollars; and every justice court within the town shall have jurisdiction over either of the offences in this section mentioned, whenever the value of the property taken or destroyed shall not exceed the sum of twenty dollars; and may sentence the offender to imprisonment not exceeding thirty days, or to be fined not exceeding twenty dollars." [*Acts of General Assembly, Chapter 791. General Laws of 1882. Chapter 242, Section 22. See Act of April 26, 1892, and extract from Ed. of 1896, in effect February 1.*]

[**April 5, 1880.**] No. 134. Resolution accepting gift of Thomas A. Millett, to the North Burial Ground Fund. (Approved April 5, 1880.)

Resolved, That the gift of Thomas A. Millett, of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Thomas A. Millett, in said ground be and the same is hereby accepted by the city council under the name of the Thomas A. Millett, fund.

[*Resolutions of the City Council No. 134, 1880.*]

[**April 29, 1880.**] No. 168. Resolution accepting gift of the R. I. Hospital Trust Co., Executors and Trustees, under the will of Stephen T. Olney, to the North Burial Ground Fund. (Approved April 29, 1880.)

Resolved, That the gift of the R. I. Hospital Trust Co., executors and trustees under the will of Stephen T. Olney, of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Stephen T. Olney, in said ground, be and the same is hereby accepted by the city council under the name of the Stephen T. Olney fund.

[*Resolutions of the City Council No. 168, 1880.*]

[**June 7, 1880.**] No. 211. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Fund. (Presented June 7, 1880.)

City Council file June 7 1880.

[*Resolutions of the City Council No. 211, 1880.*]

[**June 7, 1880.**] No. 212. Annual Report of the Commissioners of the North Burial Ground upon the Trust Funds. (Presented June 7, 1880.)

City Council file, June 7, 1880.

[*Resolutions of the City Council No. 212, 1880.*]

[**June 10, 1880.**] No. 225. Resolution accepting gift of George B. Peck, Jr., to the North Burial Ground Fund. (Approved June 10, 1880.)

Resolved, That the gift of George B. Peck, Jr., of the sum of two hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of George B. Peck, in said ground, be and the same is hereby accepted under the name of the George B. Peck, Jr., fund.

[*Resolutions of the City Council No. 225, 1880.*]

[**July 12, 1880.**] No. 259. Report of the Joint Committee on Finance upon the message of the Mayor, relative to the Transfer of Money standing to the credit of the Committee on City Debt. (Presented July 12, 1880.)

To the Honorable the City Council of the City of Providence:

The joint standing committee on finance, to whom on the twenty-first day of June, 1880, was referred the message of his honor the mayor, in relation to a transfer of money to the board of commissioners of sinking funds, report: that they have given the matter full consideration and after consultation with the city solicitor, are of the opinion that the transfer of the money now standing to the credit of the committee on the city debt, to the sinking fund, as recommended by the mayor, cannot properly be made. The money being within the control of the city debt committee.

A proper construction of the ordinance would seem to require that that committee should apply the money for the purpose for which it has been appropriated.

As regards the second recommendation of the message your committee report thereon in part, by recommending that a sufficient sum be transferred to the commissioners of sinking funds, which, with the funds for the purpose now in their hands, will pay the notes given for land for the North Burial Ground, which will be due December 19th of the present year, these notes amount to thirty-five thousand dollars, and the committee recommend that twenty-nine thousand dollars be transferred from the money in the treasury, not otherwise appropriated to meet these notes. The committee recommend the passage of the accompanying resolution, and will hereafter report further on the message.

Respectfully submitted for the committee

J. W. Crooker, Chairman.

Providence, July 12, 1880.

[*Resolutions of the City Council No. 259, 1880.*]

[**July 16, 1880.**] No. 260. Resolution to pay to the Commissioners of Sinking Funds $29,000, to be applied to the payment of notes given for the purchase of Land on account of the North Burial Ground. (Approved July 16, 1880.)

Resolved, That the city treasurer be hereby directed to pay to the board of commissioners of sinking funds, from any money in the treasury not otherwise appropriated twenty-nine thousand dollars, to be applied by said board, to the payment at their maturity of notes outstanding, given for the purchase of land for the North Burial Ground.

[*Resolutions of the City Council No. 260, 1880.*]

[**July 16, 1880.**] No. 262. Resolution accepting gift of T. W. Gorton, Varnum Fuller, John B. Baker and Elizabeth S. Boyden to the North Burial Ground Fund. (Approved July 16, 1880.)

Resolved, That the gift of T. W. Gorton, Varnum Fuller, John B. Baker and Elizabeth S. Boyden, of the sum of four hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Gorton, Fuller, Baker and Boyden, in said ground, be and the same is hereby accepted under the name of the said Gorton, Fuller, Baker and Boyden fund.

[*Resolutions of the City Council No. 262, 1880.*]

[**September 27, 1880.**] No. 332. Resolution accepting gift of William S. Lawrence, Executor, to the North Burial Ground Fund. (Approved September 27, 1880.)

Resolved, That the gift of William S. Lawrence, executor, of the sum of sixty-nine dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Mary Martin in said ground, be and the same is hereby accepted under the name of the Mary Martin fund.

[*Resolutions of the City Council No. 332, 1880.*]

[**September 27, 1880.**] No. 333. Resolution accepting gift of Gorham Thurber Trustee, to the North Burial Ground Fund. (Approved September 27, 1880.)

Resolved, That the gift of Gorham Thurber, trustee, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of three burial lots standing in the name of the heirs of Dexter Thurber, in said ground be, and the same is hereby accepted by the city council, under the name of the Dexter Thurber fund.

[*Resolutions of the City Council No. 333, 1880.*]

[**October 20, 1880.**] No. 362. Resolution accepting gift of Alexander Burgess to the North Burial Ground Fund. (Approved October 20, 1880.)

Resolved, That the gift of Alexander Burgess of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Burgess in said ground, be and the same is hereby accepted by the city council under the name of the Alexander Burgess fund.

[*Resolutions of the City Council No. 362, 1880.*]

[**October 20, 1880.**] No. 363. Resolution accepting gift of Alexander Burgess to the North Burial Ground Fund. (Approved October 20, 1880.)

Resolved, That the gift of Alexander Burgess of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Alpheus Burgess in said ground, be and the same is hereby accepted by the city council, under the name of the Alpheus Burgess fund.

[*Resolutions of the City Council No. 363, 1880.*]

[**October 25, 1880.**] No. 371. Resolution accepting gift of Mary Alice Earle, Executrix, to the North Burial Ground Fund. (Approved October 25, 1880.)

Resolved, That the gift of Mary Alice Earle, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter

367 of the public laws, to the preservation and care of the burial lot standing in the name of William Earle in said ground, be and the same is hereby accepted under the name of the William Earle fund.
[*Resolutions of the City Council No. 371, 1880.*]

[**January 31, 1881.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1880 see No. 43 Resolutions of 1881 Presented Jan. 31, 1881. Ordered printed Jan. 7, 1881 with Sup'ts report, Resolution No. 4.
[*Resolutions of the City Council Nos. 4 & 43, 1881.*]

[**February 4, 1881.**] No. 49. Resolution accepting gift of Rebecca T. Willing, to the North Burial Ground Fund. (Approved February 4, 1881.)

Resolved, That the gift of Rebecca T. Willing, of the sum of one hundred and twenty-five dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Rebecca T. Willing, in said ground, be and the same is hereby accepted under the name of the Rebecca T. Willing fund.
[*Resolutions of the City Council No. 49, 1881.*]

[**May Session, 1881.**] Chapter 899. An Act in Amendment of Chapter 313 of the Public Laws entitled "An Act establishing a board of Public Works in the City of Providence"
It is enacted by the General Assembly as follows:

Section 1. All lands in the City of Providence held by religious and cemetery Corporations for cemetery purposes shall be exempt from the payment of any and all assessments for the construction of sewers made in pursuance of the provisions of chapter 313 of the Public Laws, so long as such lands shall be held and used solely for such purposes;

Provided, that all assessments made for the construction of sewers on such lands under the provisions of said chapter 313 of the Public Laws or any acts in amendment thereof or in addition thereto, shall be and remain for thirty years a lien on said lands without interest and the city of Providence may enforce the collection of said assessments whenever said lands or any portion thereof shall be abandoned for cemetery purposes in the same manner as other sewer assessments are collected or enforced.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[*Acts of General Assembly, May Session, 1881, page 7.*]

[**June 6, 1881.**] No. 249. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Funds. (Presented June 6, 1881.)

City Council file, June 16, 1881.

[*Resolutions of the City Council No. 249, 1881.*]

[**June 6, 1881.**] No. 250. Annual Report of the Commissioners of the North Burial Ground upon the Trust Funds. (Presented June 6, 1881.)

City Council file, June 16, 1881.

[*Resolutions of the City Council No. 250, 1881.*]

[**September 2, 1881.**] No. 327. Resolution accepting gift of Samuel N. Bissel, Executor, to the North Burial Ground Fund. (Approved September 2, 1881.)

Resolved, That the gift of Samuel N. Bissel, executor, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Sarah C. Bissel in said ground be and the same is hereby accepted under the name of the Sarah C. Bissel fund.

[*Resolutions of the City Council No. 327, 1881.*]

[**September 12, 1881.**] No. 352. Message of the Mayor transmitting copy of Deed from the Randall Heirs of portion of land enclosed in North Burial Ground, together with copy of agreement dedicating said land for a park to be known as "Randall Park." (Presented September 12, 1881.)

City of Providence,
Executive Department, City Hall,
September 12, 1881.

Gentlemen of the City Council:

By a resolution of the city council, approved December 11, 1876, the Mayor was authorised "to make and execute a writing on the part of the city with the Randall heirs, so called, to carry into effect the agreement made by the committee on north burial ground," and stated in report of said committee, presented December 7, 1876, viz.: "The Randall heirs to quit claim to the city of Providence all their right, title and interest to the land in controversy, now in the north burial ground enclosure. That burial shall be forever prohibited in that portion of the north burial ground bounded on North Main street, within one hundred and fifteen feet of said street, as now located, and that the said portion of the said grounds, within the one hundred and fifteen feet aforesaid, shall be known as 'Randall Park,' and be planted with trees and otherwise beautified as soon as convenient to the city of Providence. And it is understood that such part of 'Randall park' as may hereafter be required to widen North Main street shall be used for that purpose without expense to the city of Providence."

For some cause, the signatures of certain of the heirs have been withheld until the 8th instant, when the deed required was placed in the possession of the city.

I have therefore executed the agreement above mentioned and the city is thereby relieved of the chief obstacle to the widening and greatly

needed repairs and improvement of this portion of North Main street. Copies of the deed and the agreement on the part of the city are transmitted herewith.

William S. Hayward, Mayor.

(COPY.)

DEED.

Know all Men by These Presents :

That we, Lucius Miner and Wife, Julia A. Miner, of Lincoln, in the county of Providence and State of Rhode Island, Elisha C. Mowry, of Providence, in said county, guardian of the person and estate of Vashti W. Angell, of North Providence, in said county, Edward P. Knowles, of said Providence, and the said Edward P. Knowles, guardian of the person and estate of his son Edward R. Knowles, in pursuance of authority granted by the Court of Probate of said North Providence to said guardians respectively, and in consideration of the sum of one dollar to us paid by the city of Providence, a municipal corporation created under the laws of said state, and of other good and valuable considerations, (the receipt whereof is hereby acknowledged,) do hereby remise, release and forever quitclaim unto the said city of Providence aforesaid its successors and assigns forever all the right title, interest, property, claim or demand which we, or either of us, or the said Vashti W. Angell or Edward R. Knowles, now have, or of right ought to have in and to all that tract of land now wholly or in part included in the North Burying Ground in said Providence, as enclosed by said city and bounded and described as follows, namely :

Northerly on the William Randall farm, so called, now owned by said city, north-easterly and easterly on the Power road and North Main street, southerly on the Gannon estate recently purchased by said city, and westerly on said burying ground, as formerly enclosed and maintained :

To have and to hold the same with all the privileges and appurte-

nances thereof or thereto belonging to the city of Providence, aforesaid, its successors and assigns to its and their sole use forever.

In Witness Whereof, We hereto set our hands and seals the first day of March in the year of our Lord eighteen hundred and seventy seven.

(Signed)

Lucius Miner, (L. S.)
Julia A. Miner, (L. S.)
Elisha C. Mowry, (L. S.)
as guardian of Vashti W. Angell,
E. P. Knowles, (L. S.)
E. P. Knowles, (L. S.)
Guardian.

Signed, sealed and delivered in presence of

William C. Chase, to signatures of L. M. & J. A. M.

Richard B. Comstock, witness to signature of Elisha C. Mowry, Guardian.

E. Metcalf, to signatures of E. P. Knowles, and E. P. Knowles, Guardian.

Providence, sc.

In Providence, the eighth day of September A. D. 1881, before me personally appeared Edward P. Knowles and acknowledged the foregoing instrument to be his free act and deed, in his own right and in his capacity of guardian of the person and estate of Edward R. Knowles.

Edwin Metcalf, Notary Public.

State of Rhode Island.

In Lincoln, this nineteenth day of March, eighteen hundred and seventy-seven, (1877,) then the above named Lucius Miner, personally appeared before me and acknowledged the within instrument by him signed to be his free and voluntary act and deed.

William C. Chase, Notary Public.

State of Rhode Island, Providence County sc.

In Lincoln, this nineteenth day of March, A. D. 1877, then the aforenamed Julia A. Miner personally appeared before me, separate and apart from her husband, Lucius Miner, and after having the foregoing deed shown and explained to her by me, declared it to be her free and voluntary act and deed, and that she did not wish to retract the same.

William C. Chase, Notary Public.

Providence, sc.

In the city of Providence, this fourth day of May, A. D. 1877, personally came before me Elisha C. Mowry, as guardian of Vashti W. Angell, and acknowledged the foregoing instrument by him signed as such guardian to be his free and voluntary act and deed in his said capacity.

Richard B. Comstock, Justice of the Peace.

(COPY.)

AGREEMENT.

In pursuance of resolution No. 689 of the city council (1876) the city of Providence hereby promises and agrees that burials shall be forever prohibited in that portion of the north burial ground in said city bounded on North Main street, within one hundred and fifteen feet of said street as located December 7, 1876, and also that the said portion of the said grounds within the one hundred and fifteen feet aforesaid, shall be known as "Randall Park," and be planted with trees and otherwise beautified as soon as convenient to said city of Providence.

It being, however understood, and this writing is given with such understanding between the parties, the said city and the parties receiving this writing, that such part of "Randall Park," aforementioned and described as may hereafter be required to widen North Main street, shall and may be used for that purpose and taken therefore without expense to said city of Providence.

This agreement being made between said city of Providence and the Randall heirs, so called, in said resolution, and their heirs and assigns.

In Witness Whereof, The said city of Providence hath hereunto set its corporate hand by William S. Hayward, Mayor of said city of Providence, hereunto duly authorized on the eighth day of September, A. D. 1881.

The city of Providence,

By William S. Hayward, Mayor.

In presence of N. Van Slyck.

Correct in form:

N. Van Slyck, City Solicitor.

[*Resolutions of the City Council No. 352, 1881.*]

[**October 1, 1881.**] No. 355. Resolution setting apart a lot in the North Burial Ground for a Memorial to the French Allies of the Revolution. (Approved October 1, 1881.)

Resolved, That the commissioners of the north burial ground be and they are hereby directed to set apart a portion of ground not exceeding twenty-five feet square, on which a memorial may be erected in commemoration of the services of our French Allies who lost their lives during the war of the Revolution, and who are buried in said ground.

[*Resolutions of the City Council No. 355, 1881.*]

[**December 2, 1881.**] No. 449. Resolution accepting gift of Freeborn Johnson, to the North Burial Ground Fund. (Approved December 2, 1881.)

Resolved, That the gift of Freeborn Johnson, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of said Johnson in said ground, be and the same is hereby accepted under the name of the Freeborn Johnson fund.

[*Resolutions of the City Council No. 449, 1881.*]

[**December 2, 1881.**] No. 450. Resolution accepting gift of John N. Shay, to the North Burial Ground Fund. (Approved December 2, 1881.)

Resolved, That the gift of John N. Shay, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Shay in said ground, be and the same is hereby accepted under the name of the John N. Shay fund.

[*Resolutions of the City Council No. 450, 1881.*]

[**December 23, 1881.**] No. 476. Resolution authorizing the City Treasurer to purchase lots Nos. 12 and 88 on Pine avenue, in North Burial Ground. (Approved December 23, 1881.)

Resolved, That the city treasurer be, and he is hereby authorized to purchase of the owners, lot No. 12, group No. 7, Pine avenue in North Burial Ground, for a sum not exceeding one hundred dollars, and lot No. 88 Pine avenue in said ground, for a sum not exceeding thirty dollars and eighty-five cents and charge the same to reserve fund.

[*Resolutions of the City Council No. 476, 1881.*]

[**January 5, 1882.**] No. 11. Resolutions authorizing the City Treasurer to purchase lots in the North Burial Ground. (Approved January 5, 1882.)

Resolved, That the city treasurer be and he is hereby authorized to purchase of the owners lot No. 12, group No. 7, Pine avenue, in north burial ground, for a sum not exceeding one hundred dollars and lot No.

88 Pine avenue, in said ground, for a sum not exceding thirty dollars and eighty-five cents, and charge the same to the north burial ground sinking fund.

Resolved, That resolution No. 476, approved December 23, 1881, be and the same is hereby rescinded.

[*Resolutions of the City Council No. 11, 1881.*]

[**January 23, 1882.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1881 see No. 47 Resolutions of 1882 Presented Jan. 23, 1882. Ordered printed Jan. 5, 1882 with Sup'ts report Resolution No. 4.

[*Resolutions of the City Council Nos. 47 & 4, 1882.*]

[**February 1, 1882—in effect.**] Chapter 85 Of the Registration of Births Deaths and Marriages.

* * * *

Section 6, Whenever any person shall die, or any still-born child shall be brought forth in this state, the physician attending at such bringing forth or last sickness, if any physician so attended, shall within forty-eight hours after such death or bringing forth, leave with the family, if any, or person having the care of the deceased, or the person bringing forth such still-born child, or give to the undertaker or person who conducts the funeral, a certificate stating in case of a death the name of the deceased, the date of the death, and the disease or cause of the death, and in case of the bringing forth of a still-born child, the date and the cause of such child being brought forth still-born.

Section 7. Every town council may appoint a sufficient number of persons to act as undertakers, removable at the pleasure of such council.

Section 8. No undertaker or other person shall conduct a funeral or bury or deposit in a tomb, or remove from this state or otherwise dispose of the remains of any deceased person or still-born child, unless

he shall first obtain the physician's certificate required by section six of this chapter, if a physician was in attendance upon such person who has deceased, or the person bringing forth such still-born child, and shall return the same, together with his own certificate of the information required by section three of this chapter, to the town clerk of the town where such death or bringing forth took place.

Section 9. Any town may make ordinances more effectually to attain the objects herein contemplated. [*General Laws of Rhode Island. Ed. of 1882. Passed in substance, June 3, 1875. See extract from General Laws Ed. 1896, in effect February 1.*]

[**February 6, 1882.**] No. 55. Resolution accepting gift of Martha N. Hail, to the North Burial Ground Fund. Approved February 6, 1882.)

Resolved, That the gift of Martha N. Hail, of the sum of four hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of George Hail in said ground, be and the same is hereby accepted under the name of the Martha N. Hail fund.
[*Resolutions of the City Council No. 55, 1882.*]

[**April 21, 1882.**] Chapter 309 An Act in Amendment of Chapter 38 of the Public Statutes "Of the Town Council."
It is enacted by the General Assembly as follows:

Section 1. Section 31 of chapter 38 of the Public Statutes is hereby amended so as to read as follows:

"Sec. 31. Such town councils may take and hold to them and their successors in office, all such lands within their respective towns, as shall be conveyed to them in trust for burial purposes, and, in like manner, may receive and hold all funds that shall be conveyed to them for

the purpose of ornamenting or keeping in repair such burial lots or any other burial lots within their respective towns, and execute said trusts in accordance with the terms contained in the instrument of conveyance."

Sec. 2. This act shall take effect upon its passage [*Acts of General Assembly, January Session, 1882, page 185. Original act passed January Session, 1852. Amended March 28, 1884. See extract from General Laws, Ed. 1896, in effect February 1.*]

[**May 20, 1882.**] No. 206. Resolution accepting gift of George W. Snow to the North Burial Ground Fund. (Approved May 20, 1882.)

Resolved, That the gift of George W. Snow, of the sum of two hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Snow in said ground, be and the same is hereby accepted under the name of the George W. Snow fund.

[*Resolutions of the City Council No. 206, 1882.*]

[**May 20, 1882.**] No. 207. Resolution accepting gift of George W. Snow, Administrator, to the North Burial Ground Fund. (Approved May 20, 1882.)

Resolved, That the gift of George W. Snow, administrator of the estate of Amos W. Snow, of the sum of two hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Amos W. Snow, in said ground, be and the same is hereby accepted under the name of the Amos W. Snow fund.

[*Resolutions of the City Council No. 207, 1882.*]

[**May 20, 1882.**] No. 208. Resolution accepting gift of Sarah Sweet, Executrix, to the North Burial Ground Fund. (Approved May 20, 1882.)

Resolved, That the gift of Sarah Sweet, executrix, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Menzies Sweet, in said ground, be and the same is hereby accepted under the name of the Menzies Sweet fund.

[*Resolutions of the City Council No. 208, 1882.*]

[**June 5, 1882.**] No. 227. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Funds. (Presented June 5, 1882.)

City Council file, June 5, 1882.

[*Resolutions of the City Council No. 227, 1882.*]

[**June 5, 1882.**] No. 228. Annual Report of the Commissioners of the North Burial Ground upon the Trust Fund. (Presented June 5, 1882.)

City Council file, June 5, 1882.

[*Resolutions of the City Council No. 228, 1882.*]

[**July 8, 1882.**] No. 279. Resolution accepting gift of James Mitchell to the North Burial Ground Fund. (Approved July 8, 1882.)

Resolved, That the gift of James Mitchell, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Mitchell in said ground be and the same is hereby accepted under the name of the James Mitchell fund.

[*Resolutions of the City Council No. 279, 1882.*]

[**September 9, 1882.**] No. 340. Resolution accepting the gift of Marcelia Nichols to the North Burial Ground Fund. (Approved September 9, 1882.)

Resolved, That the gift of Marcelia Nichols, of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Charles Nichols in said ground, be and the same is hereby accepted under the name of the Marcelia Nichols fund.

[*Resolutions of the City Council No. 340, 1882.*]

[**September 9, 1882.**] No. 341. Resolution accepting the gift of J. C. Fenner and S. B. Bullock, Executors of the estate of Cornelius Sullivan, to the North Burial Ground Fund. (Approved September 9, 1882.)

Resolved, That the gift of J. C. Fenner and S. B. Bullock, executors of the estate of Cornelius Sullivan, of the sum of five hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Isabella R. Sullivan in said ground, be and the same is hereby accepted under the name of the Cornelius Sullivan fund.

[*Resolutions of the City Council No. 341, 1882.*]

[**September 15, 1882.**] No. 369. Resolution directing the City Engineer to report plans and estimates for bringing to grade and widening North Main street, from Sexton street to Cemetery street. (Approved September 15, 1882.)

Resolved, That the city engineer be hereby directed to report plans and estimates for bringing to grade and widening North Main street, from Sexton street to Cemetery street, in accordance with the report of the committee to lay out the same approved April 20, 1882.

[*Resolutions of the City Council No. 369, 1882.*]

[**October 7, 1882.**] No. 394. Resolution accepting the gift of Joseph Fletcher to the North Burial Ground Fund. (Approved October 7, 1882.)

Resolved, That the gift of Joseph Fletcher, of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Fletcher, in said ground, be and the same is hereby accepted under the name of the Joseph Fletcher fund.

[*Resolutions of the City Council No. 394, 1882.*]

[**October 7, 1882.**] No. 395. Resolution accepting the gift of the Executors of the Will of Samuel Hawkins to the North Burial Ground Fund. (Approved October 7, 1882.)

Resolved, That the gift of the executors of the will of Samuel Hawkins, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Hawkins, in said ground, be and the same is hereby accepted under the name of the Samuel Hawkins fund.

[*Resolutions of the City Council No. 395, 1882.*]

[**November 18, 1882.**] No. 471. Resolution authorizing the Commissioners of the North Burial Ground to erect an Office in said ground. (Approved November 18, 1882.)

Resolved, That the commissioners of the North Burial Ground, acting under the advice and direction of the Joint standing committee on said ground, be hereby authorized and directed to cause a suitable building to be erected at the entrance of the North Burial Ground, and properly fitted for an office and waiting room, provided the cost thereof

shall not exceed the sum of three thousand dollars; said sum or so much thereof as may be necessary for said purpose, to be charged to the North Burial Ground Improvement fund.
[*Resolutions of the City Council No. 471, 1882.*]

[**November 18, 1882.**] No. 472. Resolution accepting the gift of Ferdinand Potter to the North Burial Ground Fund. (Approved November 18, 1882.)

Resolved, That the gift of Ferdinand Potter, of the sum of one hundred and eighty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Potter, in said ground, be and the same is hereby accepted under the name of the Ferdinand Potter fund.
[*Resolutions of the City Council No. 472, 1882.*]

[**December 6, 1882.**] In City Council. No. 477. Resolution authorizing the City Treasurer to purchase land in the North Burial Ground of Isaac N. Fairbrother. (Approved December 6, 1882.)

Resolved, That the city treasurer be, and he is hereby authorized to purchase the lot in the North Burial Ground standing in the name of Isaac N. Fairbrother, containing one hundred and twenty-eight square feet, at a price not exceeding thirty cents per square foot, the payment thereof to be charged to the North Burial Ground sinking fund.
[*Resolutions of the City Council No. 477, 1882.*]

[**January 5, 1883.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1882 see No. 26 Resolutions of 1883, presented Jan. 15, 1883. Ordered printed Jan. 3, 1883 with Sup'ts report Resolution No. 4.
[*Resolutions of the City Council Nos. 4 & 26, 1883.*]

[**January 22, 1883.**] No. 34. Resolution accepting gift of the Heirs of George B. Holmes, to the North Burial Ground Fund. (Approved January 22, 1883.)

Resolved, That the gift of the heirs of George B. Holmes, of the sum of one hundred and eighty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said heirs in said ground, be and the same is hereby accepted under the name of the George B. Holmes fund.

[*Resolutions of the City Council No. 34, 1883.*]

[**April 9, 1883.**] No. 110. Resolution accepting gift of Rufus A. Peck, to the North Burial Ground Fund. (Approved April 9, 1883.)

Resolved, That the gift of Rufus A. Peck, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Peck in said ground, be and the same is hereby accepted under the name of the Rufus A. Peck fund.

[*Resolutions of the City Council No. 110, 1883.*]

[**June 8, 1883.**] No. 227. Resolution accepting the gift of Edward J. Bicknell, and J. Lippitt Snow executor, to the North Burial Ground Fund. (Approved June 8, 1883.)

Resolved, That the gifts of Edward J. Bicknell of the sum of one hundred and thirty-three dollars and thirty-three cents, and of J. Lippitt Snow, executor of the estate of Mary Ann Sessions, of the sum of sixty-six dollars and sixty-seven cents, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care

of the burial lot standing in the name of E. M. and E. J. Bicknell and Mary Ann Sessions, in said ground, be and the same is hereby accepted under the name of the Bicknell and Sessions fund.
[*Resolutions of the City Council No. 227, 1883.*]

[**June 8, 1883.**] No. 228. Resolution accepting the gift of Henry C. Clark to the North Burial Ground Fund. (Approved June 8, 1883.)

Resolved, That the gift of Henry C. Clark, of the sum of three hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the names of Martha E. Clark and Caroline M. Clark, in said ground, be and the same is hereby accepted under the name of the Sterry Clark fund.
[*Resolutions of the City Council No. 228, 1883.*]

[**June 8, 1883.**] No. 229. Resolution accepting the gift of Thomas Grace to the North Burial Ground Fund. (Approved June 8 1883.)

Resolved, That the gift of Thomas Grace, of the sum of one hundred eighty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Grace, in said ground, be and the same is hereby accepted under the name of the Thomas Grace fund.
[*Resolutions of the City Council No. 229, 1883.*]

[**June 8, 1883.**] No. 230. Resolution accepting the gift of Joseph W. Naylor to the North Burial Ground Fund. (Approved June 8, 1883.)

Resolved, That the gift of Joseph W. Naylor, of the sum of one hundred and fifty dollars to the commissioners of the North Burial

Ground in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Naylor, in said ground, be and the same is hereby accepted under the name of the Joseph W. Naylor fund.

[*Resolutions of the City Council No. 230, 1883.*]

[**June 8, 1883.**] No. 231. Resolution accepting the gift of the Heirs of Ann Wright to the North Burial Ground Fund. (Approved June 8, 1883.)

Resolved, That the gift of the heirs of Ann Wright, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Ann Wright, in said ground, be and the same is hereby accepted under the name of the Ann Wright fund.

[*Resolutions of the City Council No. 231, 1883.*]

[**June 23, 1883.**] Chapter CCXIX. No. 247. An Ordinance in amendment of Chapter VII of the Ordinances of the city of Providence, relative to the use of vaults in the North Burial Ground. (Approved June 23, 1883.)

It is ordained by the City Council of the City of Providence as follows:

Section 1. Section 14, of chapter VII of the ordinances is hereby amended by adding thereto the following:

And no person shall rent or let for money or other valuable consideration or permit to be let or occupied for money or other valuable consideration, any tomb or vault or any place or apartment therein within the limits of the North Burial Ground, without leave first had and obtained in writing from said commissioners.

[*Resolutions of the City Council No. 247, 1883.*]

[**June 18, 1883.**] No. 249. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Funds. (Presented June 18, 1883.)

City Council file, June 21, 1883.

[*Resolutions of the City Council No. 249, 1883.*]

[**June 18, 1883.**] No. 250. Annual Report of the Commissioners of the North Burial Ground upon Trust Fund. (Presented June 18, 1883.)

City Council file, June 21, 1883.)

[*Resolutions of the City Council No. 250, 1883.*]

[**September 12, 1883.**] No. 346. Resolution accepting the gift of Amey A. Tucker to the North Burial Ground Fund. (Approved September 12, 1883.)

Resolved, That the gift of Amey A. Tucker, of the sum of four hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of James Tucker and Betsey Bosworth, in said ground be and the same is hereby accepted under the name of the Amey A. Tucker fund.

[*Resolutions of the City Council No. 346, 1883.*]

[**October 6, 1883.**] No. 417. Resolution accepting gift of Eliza W. Salisbury to the North Burial Ground Fund. (Approved October 6, 1883.)

Resolved, That the gift of Eliza W. Salisbury, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot

standing in the name of Sylvester Salisbury, in said ground be and the same is hereby accepted under the name of the Eliza W. Salisbury fund. [*Resolutions of the City Council No. 417, 1883.*]

[**November 19, 1883.**] No. 458. Resolution authorizing the Commissioners of the North Burial Ground to remove and reconstruct a Green House in said ground. (Approved November 19, 1883.)

Resolved, That the commissioners of the North Burial Ground be, and they are hereby authorized to expend a sum not exceeding six hundred and twenty-five dollars in removing and reconstructing a green house in said burial ground and that the same be charged to the account of the North Burial Ground.

[*Resolutions of the City Council No. 458, 1883.*]

[**November 19, 1883.**] No. 464. Resolution accepting gift of J. C. Harrington to the North Burial Ground Fund. (Approved November 19, 1883.)

Resolved, That the gift of J. C. Harrington, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Harrington, in said ground, be and the same is hereby accepted under the name of the J. C. Harrington fund.

[*Resolutions of the City Council No. 464, 1883.*]

[**January 4, 1884.**] No. 548. Resolution accepting the gift of James H. Mumford, 2d, Executor, to the North Burial Ground Fund. (Approved January 4, 1884.)

Resolved, That the gift of James H. Mumford 2d, executor, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of James Mumford, in said ground, be and the same is hereby accepted under the name of the James Mumford fund.

[*Resolutions of the City Council No. 548, 1884.*]

[**January 4, 1884.**] No. 549. Resolution accepting the gift of Frank P. Sheldon to the North Burial Ground Fund. (Approved January 4, 1884.)

Resolved, That the gift of Frank P. Sheldon of the sum of seventy-two dollars to the commissioners of the North Burial Ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Sheldon, in said ground be and the same is hereby accepted under the name of the Frank P. Sheldon fund.

[*Resolutions of the City Council No. 549, 1884.*]

[**January 4, 1884.**] No. 550. Resolution accepting the gift of Paris Winsor to the North Burial Ground Fund. (Approved January 4, 1884.)

Resolved, That the gift of Paris Winsor, of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Winsor, in said ground, be and the same is hereby accepted under the name of the Paris Winsor fund.

[*Resolutions of the City Council No. 550, 1884.*]

[**January 28, 1884.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1883 see Resolutions of City Council No. 41, 1884, presented Jan. 28, 1884 Ordered printed Jan. 12, 1884. See Resolutions of City Council No. 4, 1884.

[*Resolutions of the City Council Nos. 4 & 41, 1884.*]

[**February 5, 1884.**] No. 50. Resolution accepting the gift of Susan P. Clemans to the North Burial Ground Fund. (Approved February 5, 1884.)

Resolved, That the gift of Susan P. Clemans of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the Public laws, to the preservation and care of the burial lot standing in the name of Susan P. Thurston, in said ground, be and the same is hereby accepted under the name of the Susan P. Clemans fund.

[*Resolutions of the City Council No. 50, 1884.*]

[**February 5, 1884.**] No. 51. Resolution accepting the gift of Mrs. James Major to the North Burial Ground Fund. (Approved February 5, 1884.)

Resolved, That the gift of Mrs. James Major of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of James Major, in said ground, be and the same is hereby accepted under the name of the James Major fund.

[*Resolutions of the City Council No. 51, 1884.*]

[**February 4, 1884.**] Resolved, That so much of the annual report of the commissioners of the North Burial Ground as calls attention to the violation of chapter 219 of the ordinances, relative to the rental of tombs by undertakers James Boyce and Horace Knowles, be referred to the Joint committee on the North Burial Ground with instructions to examine and report thereon.

[*Records of the Board of Aldermen Book 12, page 348, 1884.*]

[**February 23, 1884.**] No. 83 Resolution accepting the gift of Executors of the Estate of William R. Pope, to the North Burial Ground Fund. (Approved February 23, 1884.)

Resolved, That the gift of the executors of the estate of William R. Pope, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Pope, in said ground, be and the same is hereby accepted under the name of the William R. Pope fund.

[*Resolutions of the City Council No. 83, 1884.*]

[**March 28, 1884.**] Chapter 403 An Act In Amendment Of Section 31 of Chapter 38 Of The Public Statutes. "Of The Town Council."

It is enacted by the General Assembly as follows:

Section 1. Town Councils, in addition to the powers conferred by section 31 of chapter 38 of the Public Statutes, may take possession of and hold ancient, neglected or abandoned burial grounds whenever they can take such possession without opposition from the persons interested therein and such councils may take, hold and manage in trust all funds given to such councils to keep such grounds in repair or for ornamenting or improving the same, and may in their discretion appropriate from the treasury of their respective towns money for the purpose of keeping in repair, preserving the monuments in and maintaining any such burial ground. [*Acts of General Assembly, January Session, 1884, page 139. Original act passed January Session, 1852. Amended April 21, 1882. See extract from General Laws, Ed. 1896, in effect February 1.*]

[**May 2, 1884.**] Chapter 423. An Act in Amendment of Section 13 of Chapter 79 of The Public Statutes "Of Nuisances."

It is enacted by the General Assembly as follows:

Section 1. Section 13 of chapter 79 of the Public Statutes is hereby amended so that the same shall read as follows:

"Section 13. The town council of any town may prohibit burials

in the compact or thickly populated parts of such town, and may make such by-laws and ordinances relating to burials and the use of grounds for burials in such town as they may think necessary for preserving the health thereof, and may enforce such ordinances in the manner provided in sections one and two of this chapter." [*Acts of General Assembly, January Session, 1884, page 169. See Ed. of 1857, in effect July 1, and extract from General Laws in effect February 1, 1896.*]

[**May 24, 1884.**] No. 234. Resolution accepting the gift of Mary Kilvert to the North Burial Ground Fund. (Approved May 24, 1884.)

Resolved, That the gift of Mary Kilvert of the sum of one hundred and twenty-five dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Samuel W. Kilvert, in said ground, be and the same is hereby accepted under the name of the Samuel W. Kilvert fund.

[*Resolutions of the City Council No. 234, 1884.*]

[**May 24, 1884.**] No. 235. Resolution accepting the gift of Silas A. Sweet to the North Burial Ground Fund. (Approved May 24, 1884.)

Resolved, That the gift of Silas A. Sweet of the sum of one hundred and forty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Sweet, in said ground, be and the same is hereby accepted under the name of the Silas A. Sweet fund.

[*Resolutions of the City Council No. 235, 1884.*]

[**May 22, 1884.**] In Board of Aldermen. Resolved, That the portion of Pawtucket avenue lying between the old city line and Cemetery street, as shown on a plat[1] recorded in Street Book of Plats No. 12, Page 11, be, and the same is hereby abandoned as a public highway, and the same is declared useless as such.

[*Resolutions of the City Council, 1884, page 212.*]

[**June 2, 1884.**] No. 236. Resolution taking land known as the "Proprietor's Burial Ground," at the corner of Friendship and Beacon streets, for the purposes of a Public Park. (Approved June 2, 1884.)

Resolved, That the following described land, viz.: beginning for the southeasterly corner, at a point in the westerly line of Plain street, 0.04 feet westerly from a stonebound; thence northerly in the westerly line of Plain street 283.91 feet; thence deflecting 92° 27′ 30″ westerly and running westerly in the southerly line of said Plain street 263.38 feet to Friendship street; thence deflecting 36° 50′ 20″ southerly and running southwesterly 71.72 feet to the southeasterly corner of Friendship street and Beacon street; thence reflecting 50° 55′ southerly and running southerly in the easterly line of Beacon street 239.42 feet to a point 0.84 of a foot easterly of a stone bound; thence deflecting 91° 58′ 20″ easterly and running easterly (ranging from said last mentioned stone-bound to the first mentioned stone-bound) 317.96 feet to the point of beginning; said tract contains 88,815 square feet of land, be, and the same is hereby taken by the city of Providence for the purpose of a public park, and that there be filed a description of said land with a statement that the same is taken pursuant to the provisions of an act passed by the general assembly, May 2d, 1884; said description and statement to be signed by his honor the mayor of said city of Providence, in the office of the recorder of deeds of said city.

[*Resolutions of the City Council No. 236, 1884.*]

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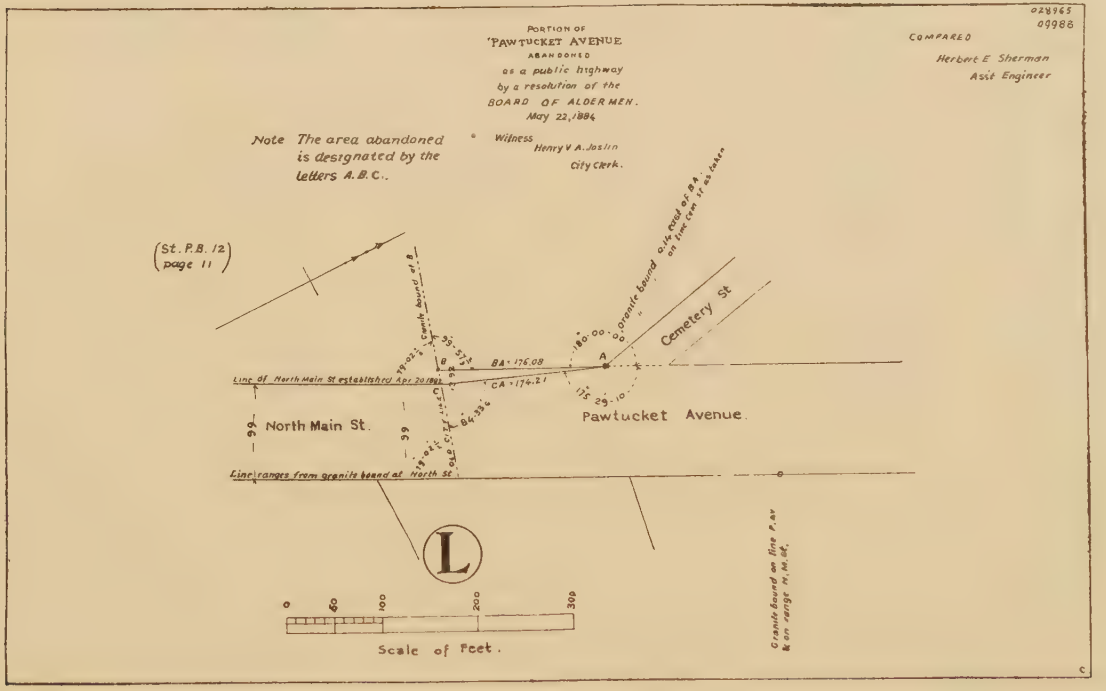
[1] Plat L.


PORTION OF
'PAWTUCKET AVENUE
ABANDONED
as a public highway
by a resolution of the
BOARD OF ALDERMEN.
May 22, 1884
Witness Henry V A. Joslin
City Clerk.
Note The area abandoned is designated by the letters A.B.C..
COMPARED
Herbert E. Sherman
Asst Engineer
(St. P.B. 12 page 11)
Granite bound on line of B.A. on line 17' as taken
Cemetery St
Line of North Main St established Apr. 29 1891
BA = 176.08
CA = 174.21
175° 29' 10"
99
North Main St.
Pawtucket Avenue.
Line ranges from granite bound at North St.
Granite bound on line P.Av & on range N. M. St.
0 50 100 200 300
Scale of Feet.

Plat L opposite page 308.

[**May 22, 1884.**] No. 237. Report of the Street Committee upon Building and Grading North Main Street, from Sexton Street to Cemetery Street. (Presented May 22, 1884.)

To the Honorable the City Council of the City of Providence:

The street committee to whom was referred December 6, 1883, by the board of aldermen, "an ordinance relative to the removal of the fence at the North Burial Ground, and also for building and grading North Main street from Sexton street to Cemetery street," report:

That upon a careful consideration of the matter they are of the opinion that some action must be taken by the city council, which will cause North Main street to be put in proper condition for safe and convenient travel thereon.

By an agreement made with the Randall heirs, September 8, 1881, the city consented to widen North Main street, and in conformity therewith, the board of aldermen proceeded to lay out said street from Sexton street to the old city line, of an uniform width of ninety-nine feet, the report of the committee thereon being received and ordered recorded April 20, 1882. The westerly line of said street, by the lay-out came upon land enclosed by the easterly fence of the North Burial Ground, thus leaving trees and other obstructions within the street.

The ordinance under consideration by the committee provided for the removal of the fence above referred to, but the committee deemed such a provision in the ordinance unnecessary as the power was vested in the board of aldermen to cause all the obstructions within the lines of the street to be removed, and therefore recommended to said board that a warrant issue for such removal, action thereon being taken, April 17th, 1884.

To remove these obstructions before it was determined what is to be done with the roadway, will leave the highway on the westerly side impassable and consequently dangerous to public travel, and it is understood by the committee that the commissioners of the North Burial

Ground, with whom arrangements have been made to reset the fence now standing in the street, that they cannot without great expense and detriment to the burial ground, do any work before the city council has taken further action.

Accompanying the ordinance referred to the committee was an estimate of the city engineer, dated January 27, 1883, in which he estimates the cost of moving the fence and grading and building the street at $16,667.01, which contemplated the building of a boulevard and park in the centre of the street.

The committee have deemed it better to build a roadway, as is customary in other streets, although the first cost thereof will be a trifle more than the first estimate, but will accommodate much better the great amount of travel passing over said highway.

The estimate of the engineer's department allowing the use of the whole roadway between the curbs for traffic is seventeen thousand, six hundred dollars.

Your committee therefore recommend non-concurrence with the common council upon the ordinance which was referred, and the passage for the accompanying substitute.

Respectfully submitted,

For the Committee,

Geo. E. Martin, Chairman.

(See No. 334 current series.)

[*Resolutions of the City Council No. 237, 1884.*]

[**June 5, 1884.**] No. 264. Resolution accepting the Gift of Charles A. Gamwell, to the North Burial Ground Fund. (Approved June 5, 1884.)

Resolved, That the gift of Charles A. Gamwell, of the sum of eighty-four dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of

the public laws, to the preservation and care of the burial lot standing in the name of said Gamwell, in said ground, be and the same is hereby accepted under the name of the Charles A. Gamwell fund.

[*Resolutions of the City Council No. 264, 1884.*]

[**June 5, 1884.**] No. 265. Resolution accepting the Gift of Sarah A. Harris and Martha A. Paine to the North Burial Ground Fund. (Approved June 5, 1884.)

Resolved, That the gift of Sarah A. Harris and Martha A. Paine, of the sum of three hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Elisha Smith, in said ground, be and the same is hereby accepted under the name of the Elisha Smith fund.

[*Resolutions of the City Council No. 265, 1884.*]

[**June 5, 1884.**] No. 266. Resolution accepting the Gift of Conrad Keller and Bradley M. Graffam to the North Burial Ground Fund. (Approved June 5, 1884.)

Resolved, That the gift of Conrad Keller and Bradley M. Graffam, of the sum of one hundred and forty dollars, to the commissioners of the North Burial Ground in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Keller and Graffam, in said ground, be and the same is hereby accepted under the name of the Keller and Graffam fund.

[*Resolutions of the City Council No. 266, 1884.*]

[**June 16, 1884.**] No. 300. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Funds. (Presented June 16, 1884.)

City Council file, June 26, 1884.

[*Resolutions of the City Council No. 300, 1884.*]

[**June 16, 1884.**] No. 301. Annual Report of the Commissioners of the North Burial Ground, upon the Trust Fund. (Presented June 16, 1884.)

City Council file, June 26, 1884.

[*Resolutions of the City Council No. 301, 1884.*]

[**June 28, 1884.**] No. 311. Resolution accepting the Gift of James M. Cross, Administrator to the North Burial Ground Fund. (Approved June 28, 1884.)

Resolved, That the gift of James M. Cross, administrator, of the sum of one thousand dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Edward S. Lyon, in said ground, be and the same is hereby accepted under the name of Edward S. Lyon fund.

[*Resolutions of the City Council No. 311, 1884.*]

[**August 7, 1884.**] No. 374. Resolution Authorizing the City Treasurer to Purchase a certain Lot in the North Burial Ground. (Passed in Common Council, May 19, 1884. Passed in Board of Aldermen, July 17, 1884. Became a law upon the adjournment of the Common Council August 7, 1884.)

Resolved, That the city treasurer be, and he is hereby authorized to purchase a lot in the north burial ground numbered 68, group 22, containing three hundred and twenty square feet of land, at a price not exceeding twenty cents per square foot; and that the expense thereof be charged to the north burial ground sinking fund.

[*Resolutions of the City Council No. 374, 1884.*]

[**September 16, 1884.**] No. 430. Resolution accepting the gift of Jno. Alexander Beall to the North Burial Ground Fund. (Approved September 16, 1884.)

Resolved, That the gift of Jno. Alexander Beall, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of John G. Burrough in said ground, be and the same is hereby accepted under the name of the John G. Burrough fund.

[*Resolutions of the City Council No. 430, 1884.*]

[**September 16, 1884.**] No. 431. Resolution accepting the gift of John W. Greene, Administrator, to the North Burial Ground Fund. (Approved September 16, 1884.)

Resolved, That the gift of John W. Greene, administrator, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of William F. Greene, in said ground be and the same is hereby accepted under the name of the William F. Greene fund.

[*Resolutions of the City Council No. 431, 1884.*]

[**September 16, 1884.**] No. 432. Resolution accepting the gift of Emanuel Rawcliffe to the North Burial Ground Fund. (Approved September 16, 1884.)

Resolved, That the gift of Emanuel Rawcliffe, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Rawcliffe, in said ground, be and the same is hereby accepted under the name of the Emanuel Rawcliffe fund.

[*Resolutions of the City Council No. 432, 1884.*]

[**September 16, 1884.**] No. 433. Resolution accepting the gift of Mary Steere to the North Burial Ground Fund. (Approved September 16, 1884.)

Resolved, That the gift of Mary Steere, of the sum of one hundred and forty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Steere, in said ground, be and the same is hereby accepted under the name of the Mary Steere fund.

[*Resolutions of the City Council No. 433, 1884.*]

[**September 16, 1884.**] No. 434. Resolution accepting the gift of W. I. Williams, Executor, to the North Burial Ground Fund. (Approved September 16, 1884.)

Resolved, That the gift of W. I. Williams, executor of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Samuel R. Williams in said ground, be and the same is hereby accepted under the name of the Samuel R. Williams fund.

[*Resolutions of the City Council No. 434, 1884.*]

[**October 23, 1884.**] No. 508. Resolution accepting the Gift of Brown S. Wood to the North Burial Ground Fund. (Approved October 23, 1884.)

Resolved, That the gift of Brown S. Wood of the sum of two hundred and sixteen dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Wood, in said ground, be and the same is hereby accepted under the name of the Brown S. Wood fund.

[*Resolutions of the City Council No. 508, 1884.*]

[**December 9, 1884.**] No. 571. Resolution accepting the Gift of Almira Durfee to the North Burial Ground Fund. (Approved December 9, 1884.)

Resolved, That the gift of Almira Durfee of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Durfee, in said ground, be and the same is hereby accepted under the name of the Almira Durfee fund.
[*Resolutions of the City Council No. 571, 1884.*]

[**December 9, 1884.**] No. 572. Resolution accepting the Gift of Harriet Seagrave, to the North Burial Ground Fund. (Approved December 9, 1884.)

Resolved, That the gift of Harriet Seagrave of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Seagrave, in said ground, be and the same is hereby accepted under the name of the Harriet Seagrave fund.
[*Resolutions of the City Council No. 572, 1884.*]

[**January 19, 1885.**] No. 31. Resolution accepting the Gift of W. H. Crins and C. R. Drown, Executors, to the North Burial Ground Fund. (Approved January 19, 1885.)

Resolved, That the gift of W. H. Crins and C. R. Drown, executors of the estate of Marcy Gorham, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in

the name of said executors, in said ground, be and the same is hereby accepted under the name of the Marcy Gorham fund.
[*Resolutions of the City Council No. 31, 1885.*]

[**January 19, 1885.**] No. 32. Resolution accepting the Gift of Elizabeth Mabbett to the North Burial Ground Fund. (Approved January 19, 1885.)

Resolved, That the gift of Elizabeth Mabbett of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Mabbett, in said ground, be and the same is hereby accepted under the name of the Elizabeth Mabbett Fund.
[*Resolutions of the City Council No. 32, 1885.*]

[**January 19, 1885.**] No. 33. Resolution accepting the Gift of Alfred Sherman, Executor, to the North Burial Ground Fund. (Approved January 19, 1885.)

Resolved, That the gift of Alfred Sherman, executor, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the monument on the lot standing in the name of George J. Sherman, in said ground, be and the same is hereby accepted under the name of the George J. Sherman fund.
[*Resolutions of the City Council No. 33, 1885.*]

[**January 26, 1885.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1884 see No. 36 Resolutions of 1885 Presented Jan. 26, 1885 Ordered printed Jan. 8, 1885 Resolution No. 4.
[*Resolutions of the City Council Nos. 4 & 36, 1885.*]

[**February 3, 1885.**] No. 48. Resolution accepting the Gift of Charles F. Irons, to the North Burial Ground Fund. (Approved February 3, 1885.)

Resolved, That the gift of Charles F. Irons of the sum of two hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Charlotte Irons, in said ground, be and the same is hereby accepted under the name of the Charlotte Irons fund.

[*Resolutions of the City Council No. 48, 1885.*]

[**February 24, 1885.**] No. 74. Resolution accepting the Gift of Ithiel T. Davis to the North Burial Ground Fund. (Approved February 24, 1885.)

Resolved, That the gift of Ithiel T. Davis of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Davis, in said ground, be and the same is hereby accepted under the name of the Ithiel T. Davis fund.

[*Resolutions of the City Council No. 74, 1885.*]

[**April 2, 1885.**] Chapter 475. An Act Providing for the Burial of any Honorably Discharged Soldier or Sailor who shall Hereafter Die without leaving Means to Defray Necessary Funeral Expenses.

It is enacted by the General Assembly as follows:

Section 1. Whenever any person who served in the army, navy, or marine corps of the United States during the late war, and was honorably discharged therefrom, shall die within this state, without leaving means sufficient to defray necessary funeral expenses, he shall be buried and the expenses thereof paid in the manner hereafter provided.

Section 2. The town council of any town and the board of alder-

men of any city shall annually designate some proper person other than those designated by law for the care of paupers or the custody of criminals, who shall cause to be interred the body of any honorably discharged soldier, sailor or marine who served in the late war and received an honorable discharge and who may not have left sufficient means to pay his funeral expenses, and in case the deceased has relatives or friends who desire to conduct the burial and who are unable or unwilling to pay the charge thereof they shall be allowed to conduct the funeral, and the cost of said interment shall be paid to them or their representatives by the town or city treasurer upon due proof: Provided, however, that the whole expense of such funeral shall not in any one case exceed the sum of thirty five dollars.

Sec. 3. Any interment provided for by the provisions of this act shall not be made in any cemetery or plot used exclusively for the pauper dead, and if any such deceased honorably discharged soldier, sailor, or marine may have already died and been buried in any place used exclusively for the burial of paupers, they shall be removed therefrom as soon as may be, after the attention of the town or city council within whose limits such person may have been buried, shall have been called thereto.

Sec. 4. The grave of any deceased soldier, sailor or marine, who may be buried under the provisions of this act, shall be marked by a headstone containing the name of the deceased, and, if possible, the organization to which he belonged or in which he served; such headstone shall cost not more than fifteen dollars, and the expense of such headstone and burial shall be a charge upon and shall be paid by the town or city in which the said soldier, sailor, or marine may have died.

Sec. 5. This act shall take effect immediately. [*Acts of General Assembly, January Session, 1885, page 136. Amendments passed April 30, 1886 and March 9, 1892. See also General Laws, Ed. of 1896, in effect February 1, 1896.*]

[**April 6, 1885.**] No. 127. Resolution accepting the Gift of John C. Fluhrer's heirs to the North Burial Ground Fund. (Approved April 6, 1885.)

Resolved, That the gift of the heirs of John C. Fluhrer of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said heirs, in said ground, be and the same is hereby accepted under the name of the John C. Fluhrer fund.
[*Resolutions of the City Council No. 127, 1885.*]

[**April 6, 1885.**] No. 128. Resolution accepting the Gift of Abraham H. Granger to the North Burial Ground Fund. (Approved April 6, 1885.)

Resolved, That the gift of Abraham H. Granger of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Granger, in said ground, be and the same is hereby accepted under the name of the Abraham H. Granger fund.
[*Resolutions of the City Council No. 128, 1885.*]

[**April 6, 1885.**] No. 129. Resolution accepting the Gift of David Prew to the North Burial Ground Fund. (Approved April 6, 1885.)

Resolved, That the gift of David Prew of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in

the name of the said David Prew, in said ground, be and the same is hereby accepted under the name of the David Prew fund.
[*Resolutions of the City Council No. 129, 1885.*]

[**April 20, 1885.**] No. 155. Resolution accepting the Gift of Rebecca B. Danforth to the North Burial Ground. (Approved April 20, 1885.)

Resolved, That the gift of Rebecca B. Danforth of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Danforth, in said ground, be and the same is hereby accepted under the name of the Rebecca B. Danforth fund.
[*Resolutions of the City Council No. 155, 1885.*]

[**April 20, 1885.**] No. 156. Resolution accepting the Gift of Samuel Dyson and George Hemingway to the North Burial Ground Fund. (Approved April 20, 1885.)

Resolved, That the gift of Samuel Dyson and George Hemingway of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the names of said Dyson and Hemingway, in said ground, be and the same is hereby accepted under the name of the Dyson and Hemingway fund.
[*Resolutions of the City Council No. 156, 1885.*]

[**April 20, 1885.**] No. 157. Resolution accepting the Gift of Harriet A. Taft to the North Burial Ground Fund. (Approved April 20, 1885.)

Resolved, That the gift of Harriet A. Taft of the sum of five hun-

dred dollars, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the heirs of Oliver Earle and John A. Taft, in said ground, be and the same is hereby accepted under the name of the Earle and Taft fund.

[*Resolutions of the City Council No. 157, 1885.*]

[**May 6, 1885.**] No. 179. Resolution accepting the Gift of William H. Evans to the North Burial Ground Fund. (Approved May 6, 1885.)

Resolved, That the gift of William H. Evans of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Evans, in said ground, be and the same is hereby accepted under the name of the William H. Evans fund.

[*Resolutions of the City Council No. 179, 1885.*]

[**May 6, 1885.**] No. 180. Resolution accepting the Gift of Caroline E. Makepeace to the North Burial Ground Fund. (Approved May 6, 1885.)

Resolved, That the gift of Caroline E. Makepeace, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Makepeace, in said ground, be and the same is hereby accepted under the name of the Caroline E. Makepeace fund.

[*Resolutions of the City Council No. 180, 1885.*]

[**May 6, 1885.**] No. 181. Resolution accepting the gift of William Paisley to the North Burial Ground Fund. (Approved May 6, 1885.)

Resolved, That the gift of William Paisley, of the sum of seventy-five dollars, to the commissioners of the North Burial ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Paisley, in said ground be and the same is hereby accepted under the name of the William Paisley fund.

[*Resolutions of the City Council No. 181, 1885.*]

[**June 11, 1885.**] In City Council. No. 238. Resolution to transfer the Thomas Grace North Burial Ground Fund to the Ferdinand Potter Fund. (Approved June 11, 1885.)

Resolved, That the fund known as the Thomas Grace fund, held in trust by the commissioners of the North Burial Ground for the care and preservation of the burial lot in said ground lately standing in the name of Thomas Grace, be hereafter known as the Ferdinand Potter fund, the income thereof to be applied to the care of said lot, which has been conveyed by deed duly recorded from said Grace to said Ferdinand Potter.

[*Resolutions of the City Council No. 238, 1882.*]

[**June 8, 1885.**] No. 252. Annual Report of the Commissioners of the North Burial Ground, upon the Receipts and Expenditures of the income from Trust Fund. (Presented June 8, 1885.)

City Council file, June 18, 1885.

[*Resolutions of the City Council No. 252, 1885.*]

[**June 8, 1885.**] No. 253. Annual Report of the Commissioners of the North Burial Ground, upon the Trust Fund. (Presented June 8, 1885.)

City Council file, June 18, 1885

[*Resolutions of the City Council No. 253, 1885.*]

[**June 20, 1885.**] No. 272. Resolution accepting the Gift of Orra I. Angell to the North Burial Ground Fund. (Approved June 20, 1885.)

Resolved, That the gift of Orra I. Angell, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Angell, in said ground, be and the same is hereby accepted under the name of the Orra J. Angell fund.

[*Resolutions of the City Council No. 272, 1885.*]

[**June 20, 1885.**] No. 273. Resolution accepting the Gift of William B. Cranston's heirs to the North Burial Ground Fund. (Approved June 20, 1885.)

Resolved, That the gift of William B. Cranston's heirs, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said heirs, in said ground, be and the same is hereby accepted under the name of the William B. Cranston's heirs fund.

[*Resolutions of the City Council No. 273, 1885.*]

[**June 20, 1885.**] No. 274. Resolution accepting the Gift of Ellen H. Cunliff to the North Burial Ground Fund. (Approved June 20, 1885.)

Resolved, That the gift of Ellen H. Cunliff, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot

standing in the name of Joseph Cunliff in said ground, be and the same is hereby accepted under the name of the Joseph Cunliff fund.
[*Resolutions of the City Council No. 274, 1885.*]

[**June 20, 1885.**] No. 275. Resolution accepting the Gift of Peter Vennerbeck to the North Burial Ground Fund. (Approved June 20, 1885.)

Resolved, That the gift of Peter Vennerbeck, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Vennerbeck, in said ground be and the same is hereby accepted under the name of the Peter Vennerbeck fund.
[*Resolutions of the City Council No. 275, 1885.*]

[**July 8, 1885.**] No. 304. Resolution accepting the Gift of Elizabeth B. Burt to the North Burial Ground Fund. (Approved July 8, 1885.)

Resolved, That the gift of Elizabeth B. Burt, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Burt in said ground, be and the same is hereby accepted under the name of the Elizabeth B. Burt fund.
[*Resolutions of the City Council No. 304, 1885.*]

[**July 8, 1885.**] No. 305. Resolution accepting the Gift of Ann P. Wood to the North Burial Ground Fund. (Approved July 8, 1885.)

Resolved, That the gift of Ann P. Wood of the sum of three hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367

of the public laws, to the preservation and care of the building lot standing in the name of the heirs of Israel Amsbury, in said ground, be and the same is hereby accepted under the name of the heirs of Israel Amsbury fund.

[*Resolutions of the City Council No. 305, 1885.*]

[**September 12, 1885.**] No. 400. Resolution accepting the Gift of Harriet A. Brownell to the North Burial Ground Fund. (Approved September 12, 1885.)

Resolved, That the gift of Harriett A. Brownell, of the sum of two hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of heirs of Eleanor Field, in said ground, be and the same is hereby accepted under the name of the heirs of Eleanor Field fund.

[*Resolutions of the City Council No. 400, 1885.*]

[**September 12, 1885.**] No. 401. Resolution accepting the Gift of Alice Gartside to the North Burial Ground Fund. (Approved September 12, 1885.)

Resolved, That the gift of Alice Gartside, of the sum of two hundred and forty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Alice, William 2d and Sarah A. Gartside and Frances Ramsey Gartside, in said ground, be and the same is hereby accepted under the name of the heirs of Alice Gartside fund.

[*Resolutions of the City Council, No. 401, 1885.*]

[**September 12, 1885.**] No. 402. Resolution accepting the Gift of Avis L. Harris, to the North Burial Ground Fund. (Approved September 12, 1885.)

Resolved, That the gift of Avis L. Harris of the sum of six hundred dollars, to the commissioners of the North Burial Ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the heirs of Batez Harris, in said ground, be and the same is hereby accepted under the name of the Avis L. Harris fund.
[*Resolutions of the City Council No. 402, 1885.*]

[**September 12, 1885.**] No. 403. Resolution accepting the Gift of Quincy Parker to the North Burial Ground Fund. (Approved September 12, 1885.)

Resolved, That the gift of Quincy Parker, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Parker in said ground, be and the same is hereby accepted under the name of the Quincy Parker fund.
[*Resolutions of the City Council No. 403, 1885.*]

[**November 7, 1885.**] No. 488. Resolution accepting the Gift of Charles I. Burlingame to the North Burial Ground Fund. (Approved November 7, 1885.)

Resolved, That the gift of Charles I. Burlingame, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Burlingame, in said ground be and the same is hereby accepted under the name of the Charles I. Burlingame fund.
[*Resolutions of the City Council No. 488, 1885.*]

[**December 5, 1885.**] No. 567. Resolution accepting the Gift of Mary C. Bragg to the North Burial Ground Fund. (Approved December 5, 1885.)

Resolved, That the gift of Mary C. Bragg, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Bragg, in said ground, be and the same is hereby accepted under the name of the Mary C. Bragg fund.

[*Resolutions of the City Council No. 567, 1885.*]

[**December 5, 1885.**] No. 568. Resolution accepting the Gift of Robert Harris, Executor, to the North Burial Ground Fund. (Approved December 5, 1885.)

Resolved, That the gift of Robert Harris, executor, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Nathaniel Cushing Harris, in said ground, be and the same is hereby accepted under the name of the Nathaniel Cushing Harris fund.

[*Resolutions of the City Council No. 568, 1885.*]

[**December 5, 1885.**] No. 569. Resolution accepting the Gift of Elizabeth Hitchen to the North Burial Ground Fund. (Approved December 5, 1885.)

Resolved, That the gift of Elizabeth Hitchen, of the sum of fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in

the name of said Hitchen, in said ground, be and the same is hereby accepted under the name of the Elizabeth Hitchen fund.
[*Resolutions of the City Council No. 569, 1885.*]

[**December 5, 1885.**] No. 570. Resolution accepting the Gift of Mary A. Penniman and Adin Alexander to the North Burial Ground Fund. (Approved December 5, 1885.)

Resolved, That the gift of Mary A. Penniman and Adin Alexander, of the sum of four hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Penniman and Alexander, in said ground, be and the same is hereby accepted under the name of the Penniman and Alexander fund.
[*Resolutions of the City Council No. 570, 1885.*]

[**January 2, 1886.**] No. 607. Resolution accepting the Gift of Mary E. Peck to the North Burial Ground Fund. (Approved January 2, 1886.)

Resolved, That the gift of Mary E. Peck, of the sum of seventy-five dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Peck in said ground, be and the same is hereby accepted under the name of the Mary E. Peck fund.
[*Resolutions of the City Council No. 607, 1886.*]

[**February 1, 1886.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1885 see No. 63, resolutions of 1886 presented Feb. 1, 1886. Ordered printed Jan. 6, 1886. Resolutions No. 4.
[*Resolutions of the City Council Nos. 4 & 63, 1886.*]

[**February 20, 1886.**] No. 71. Resolution accepting the Gift of William B. Crowell, Executor, Susan A. Williams and Alonzo Crowell to the North Burial Ground Fund. (Approved February 20, 1886.)

Resolved, That the gift of William B. Crowell, executor, Susan A. Williams and Alonzo Crowell, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Harrison G. Williams in said ground be and the same is hereby accepted under the name of the Harrison G. Williams fund.

[*Resolutions of the City Council No. 71, 1886.*]

[**April 19, 1886.**] No. 142. Resolution accepting the Gift of Albert P. Hawkins to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of Albert P. Hawkins, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Hawkins, in said ground, be and the same is hereby accepted under the name of Albert P. Hawkins fund.

[*Resolutions of the City Council No. 142, 1886.*]

[**April 19, 1886.**] No. 143. Resolution accepting the Gift of Marie E. Luft, Executrix, to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of Marie E. Luft executrix, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of said Luft, in said ground, be and the same is hereby accepted under the name of the Marie E. Luft fund.
[*Resolutions of the City Council No. 143, 1886.*]

[**April 19, 1886.**] No. 144. Resolution accepting the Gift of Esther H. Pierce and Elmira F. Pierce to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of Esther H. Pierce and Elmira F. Pierce, of the sum of five hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of George A. Pierce and the heirs of William G. Pierce, in said ground, be and the same is hereby accepted under the name of the George A. and Heirs of William G. Pierce fund.
[*Resolutions of the City Council No. 144, 1886.*]

[**April 19, 1886.**] No. 145. Resolution accepting the Gift of Rufus Waterman, to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of Rufus Waterman, of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of one fourth of the burial lot standing in the name of John Barstow, Alexis Caswell, Freeman Foster and Richard Waterman, in said ground, be and the same is hereby accepted under the name of the Richard Waterman fund.
[*Resolutions of the City Council No. 145, 1886.*]

[**April 19, 1886.**] No. 168. Resolution accepting the Gift of William Kenyon to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of William Kenyon, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Kenyon, in said ground, be and the same is hereby accepted under the name of the William Kenyon fund.

[*Resolutions of the City Council No. 168, 1886.*]

[**April 19, 1886.**] No. 169. Resolution accepting the Gift of Amos Maker and Amanda A. Chatman to the North Burial Ground Fund. (Approved April 19, 1886.)

Resolved, That the gift of Amos Maker and Amanda G. Chatman, of the sum of ninety dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the names of said Maker and Chatman in said ground, be and the same is hereby accepted under the name of the Maker and Chatman fund.

[*Resolutions of the City Council No. 169, 1886.*]

[**April 30, 1886.**] Chapter 594. An Act in Amendment of Chapter 475 of the Public Laws, entitled "An Act Providing for the Burial of any Honorably Discharged Soldier or Sailor who shall hereafter die without leaving means to defray necessary funeral expenses." It is enacted by the General Assembly as follows:

Section 1. Nothing in chapter 475 of the Public Laws passed at the January Session, 1885, shall be construed to require the town treasurer of the town of Cranston to pay any money to meet the funeral expenses of, or the erection of any headstone for any person who shall have died at any of the state institutions in said Cranston, unless admitted or committed from said town, but the treasurer of the town or city from which said person was admitted or from which he has been

committed shall be liable for and shall pay the funeral expenses and for the erection of a headstone as provided in said chapter 475. [*Acts of General Assembly, January Session, 1886, page 174. Original act passed April 2, 1885. Amendment March 9, 1892. See extract from General Laws, Ed. of 1896, in effect February 1.*]

[**May 24, 1886.**] No. 241. Resolution accepting the Gift of Susan Moffitt to the North Burial Ground Fund. (Approved May 24, 1886.)

Resolved, That the gift of Susan Moffitt of the sum of one hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof, to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Moffitt, in said ground, be and the same is hereby accepted under the name of the Susan Moffitt fund. [*Resolutions of the City Council No. 241, 1886.*]

[**May 24, 1886.**] No. 242. Resolution accepting the Gift of Margaret R. Pierce to the North Burial Ground Fund. (Approved May 24, 1886.)

Resolved, That the gift of Margaret R. Pierce of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Pierce in said ground be and the same is hereby accepted under the name of the Margaret R. Pierce fund. [*Resolutions of the City Council No. 242, 1886.*]

[**May 24, 1886.**] No. 243. Resolution accepting the Gift of Sarah F. Atkinson to the North Burial Ground Fund. (Approved May 24, 1886.)

Resolved, That the gift of Sarah F. Atkinson of the sum of one

hundred and thirty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Atkinson, in said ground, be and the same is hereby accepted under the name of the Sarah F. Atkinson fund.

[*Resolutions of the City Council No. 243, 1886.*]

[**May 24, 1886.**] No. 244. Resolution accepting the Gift of Mary A. Sherman to the North Burial Ground Fund. (Approved May 24, 1886.)

Resolved, That the gift of Mary A. Sherman of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Sherman, in said ground, be and the same is hereby accepted under the name of the Mary A. Sherman fund.

[*Resolutions of the City Council No. 244, 1886.*]

[**May 24, 1886.**] No. 245. Resolution accepting the Gift of Lydia A. Cook to the North Burial Ground Fund. (Presented May 24, 1886.)

Resolved, That the gift of Lydia A. Cook of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Cook, in said ground, be and the same is hereby accepted under the name of the Lydia A. Cook fund.

[*Resolutions of the City Council No. 245, 1886.*]

[**June 7, 1886.**] No. 271. Report of the Joint Committee on North Burial Ground relative to Destruction of Trees in said Ground. (Presented June 7, 1886.)

To the Honorable the City Council of the City of Providence:

The joint committee on the North Burial Ground, to whom at the last regular meeting of the council was referred the resolution inquiring into the matter, of the destruction of trees in the North Burial Ground, report:

That they have consulted with the commissioners of the North Burial Ground as to their action in regard to such destruction, with the reasons therefor, and beg leave to present the statement of the commissioners over their signatures with this report.

For the Committee,

Albert G. Carpenter, Chairman.

(COMMUNICATION.)

To Albert G. Carpenter, Esq., Chairman of Standing Committee on North Burial Ground:

Dear Sir: The undersigned commissioners of the North Burial ground herewith return to you the resolution offered in common council May 17, in relation to the destruction of trees in said ground.

In answer thereto we would say that it is and has been our constant endeavor in the management of the ground to avoid cutting down any healthy trees, unless it appeared to be absolutely necessary for the permanent improvement of the ground.

In regard to the Ridge walk, so called, we would say that when we entered upon our duties as commissioners we found the beauty of said ridge walk as a whole absolutely and irretrievably destroyed by a large cutting which had previously been made through it, thereby separating the southern portion from the rest, and this southern portion was otherwise seriously mutilated.

After carefully considering the matter, it was decided that the best thing to be done would be the entire removal of the said southern portion, thereby necessitating the cutting down of more or less trees.

Among other reasons which led to this conclusion was the fact that the city council had but recently refused to purchase a lot of land in the immediate vicinity of this part of the ground upon which was a large amount of sand urgently needed for filling purposes.

Finding, therefore, that the condition of the Ridge walk could not be improved by retaining this southern portion and that the material could be used very advantageously, the above mentioned course was decided upon.

In conclusion we would say that we earnestly invite inspection of our work by members of the city government, and we are confident that had the mover of this resolution made inquiry of either member of the commission a satisfactory explanation of our work could have been given.

Very respectfully,

John W. Briggs,
Gorham Thurber,
Oren Westcott,
Commissioners of the North Burial Ground.

Providence June 7, 1886.

[*Resolutions of the City Council No. 271, 1886.*]

[**June 7, 1886.**] No. 272. Report of the Joint Committee on the North Burial Ground, relative to the Enlargement of the "Prescott Post Lot." (Presented June 7, 1886.)

To the Honorable the City Council.

The joint standing committee on the North Burial ground, to whom on the 7th of September, 1885, was referred the message of the mayor relative to "soldiers or sailors buried in places used for the burial of paupers" report that they have given the matter full consideration and

find that under the statute passed by the general assembly, at the May session, 1885, such bodies of honorably discharged soldiers or sailors as are buried in pauper ground must be removed therefrom.

There is a lot in the North Burial ground known as the "Prescott Post lot." It has been suggested that bodies above mentioned be buried therein; but the present size of the lot, 40 x 60 feet, is none too large to hold the bodies of those that will eventually be buried therein by the different posts of the grand army of the republic.

Your Committee, therefore, recommend that the said "Prescott Post lot" be enlarged by annexing to it the present Police Association lot, giving the Police Association a lot nearer the French monument, in exchange.

The estimated cost of moving the monument on the Prescott Post lot, in order to bring it to the centre of said lot when enlarged, grading, turfing, etc., is four hundred and sixty dollars.

Your committee desire to express their thanks to the gentlemen of the Prescott Post and the Providence Police Association for their hearty co-operation in this matter.

Respectfully submitted,

Albert G. Carpenter, Chairman.

[*Resolutions of the City Council No. 272, 1886.*]

[**June 28, 1886.**] No. 273. Resolution Authorizing the Commissioners of the North Burial Ground to Enlarge the "Prescott Post Lot." (Approved June 28, 1886.)

Resolved, That the commissioners of the North Burial Ground are hereby authorized to increase the size of the Prescott Post lot, so called according to the plans of the city engineer, which includes an exchange of lots with the Providence Police Association; the expense of the same provided it is not over five hundred dollars, to be paid out of the appropriation for contingencies, and the said commissioners shall cause to be

buried in the Prescott Post lot, when so enlarged, all the bodies of honorably discharged soldiers and sailors, now interred in pauper ground. [*Resolutions of the City Council No. 273, 1886.*]

[**June 28, 1886.**] No. 277. Resolution accepting the Gift of Fannie Christie to the North Burial Ground Fund. (Approved June 28, 1886.)

Resolved, That the gift of Fannie Christie, of the sum of one hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing ing in the name of heirs of William Christie, in said ground, be and the same is hereby accepted under the name of the heirs of William Christie fund.

[*Resolutions of the City Council No. 277, 1886.*]

[**June 28, 1886.**] No. 278. Resolution Accepting the Gift of Harriet M. Gardner to the North Burial Ground Fund. (Approved June 28, 1886.)

Resolved, That the gift of Harriet M. Gardner, of the sum of one hundred and forty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Gardner, in said ground, be and the same is hereby accepted under the name of the Harriet M. Gardner fund.

[*Resolutions of the City Council No. 278, 1886.*]

[**June 28, 1886.**] No. 279. Resolution accepting the Gift of Ann E. Merrill to the North Burial Ground Fund. (Approved June 28, 1886.)

Resolved, That the gift of Ann E. Merrill, of the sum of one hundred and forty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Merrill, in said ground, be and the same is hereby accepted under the name of Ann E. Merrill fund.
[*Resolutions of the City Council No. 279, 1886.*]

[**June 28, 1886.**] No. 280. Resolution Accepting the Gift of Jane B. Tilley, Executrix to the North Burial Ground Fund. (Approved June 28, 1886.)

Resolved, That the gift of Jane B. Tilley, executrix of the sum of three hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of William J. Tilley, in said ground, be and the same is hereby accepted under the name of the William J. Tilley fund.
[*Resolutions of the City Council No. 280, 1886.*]

[**June 28, 1886.**] No. 304. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Fund. (Presented June 28, 1886.)

City Council file, July 1, 1886.
[*Resolutions of the City Council No. 304, 1886.*]

[**June 28, 1886.**] No. 305. Annual Report of the Commissioners of the North Burial Ground upon the Trust Funds. (Presented June 28, 1886.)

City Council file, July 1, 1886.
[*Resolutions of the City Council No. 305, 1886.*]

[**July 3, 1886.**] No. 313. Resolution Accepting the Gift of Executors of Will of Charlotte R. Goddard, to the North Burial Ground Fund. (Approved July 3, 1886.)

Resolved, That the gift of executors of the will of Charlotte R. Goddard, of the sum of five hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Mary A. Goddard, in said ground be and the same is hereby accepted under the name of the Charlotte R. Goddard fund.

[*Resolutions of the City Council No. 313, 1886.*]

[**July 3, 1886.**] No. 314. Resolution Accepting the Gift of James M. Holroyd, to the North Burial Ground Fund. (Approved July 3, 1886.)

Resolved, That the gift of James M. Holroyd, of the sum of three hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Holroyd, in said ground, be and the same is hereby accepted under the name of the James M. Holroyd fund.

[*Resolutions of the City Council No. 314, 1886.*]

[**July 17, 1886.**] No. 342. Resolution Accepting the Gift of Benjamin Brown to the North Burial Ground Fund. (Approved July 17, 1886.)

Resolved, That the gift of Benjamin Brown, of the sum of one hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of the said Brown in said ground, be and the same is hereby accepted under the name of the Benjamin Brown fund.

[*Resolutions of the City Council No. 342, 1886.*]

[**July 17, 1886.**] No. 343. Resolution accepting the Gift of Lucy Ann Butts to the North Burial Ground Fund. (Approved July 17, 1886.)

Resolved, That the gift of Lucy Ann Butts, of the sum of two hundred dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Butts, in said ground, be and the same is hereby accepted under the name of the Lucy Ann Butts fund.

[*Resolutions of the City Council No. 343, 1886.*]

[**July 17, 1886.**] No. 344. Resolution Accepting the Gift of Elizabeth A. Gammell and Hope B. Russell to the North Burial Ground Fund. (Approved July 17, 1886.)

Resolved, That the gift of Elizabeth A. Gammell and Hope B. Russell, of the sum of one thousand dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Gammell and Russell, in said ground, be and the same is hereby accepted under the name of the Gammell and Russell fund.

[*Resolutions of the City Council No. 344, 1886.*]

[**July 17, 1886.**] No. 345. Resolution Accepting the Gift of B. B. Hammond and M. G. Gladding, Executors to the North Burial Ground Fund. (Approved July 17, 1886.)

Resolved, That the gift of B. B. Hammond and M. A. Gladding,

executors, of the sum of four hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of four burial lots standing in the name of R. M. Gladding, George F. and B. H. Gladding, Florence Mahoney and William E. Jillson, in said ground, be and the same is hereby accepted under the name of the Gladding Mahoney and Jillson fund.
[*Resolutions of the City Council No. 345, 1886.*]

[**July 17, 1886.**] No. 346. Resolution Accepting the Gift of Mary A. Soule to the North Burial Ground Fund. (Approved July 17, 1886.)

Resolved, That the gift of Mary A. Soule, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Mary A. Soule, in said ground, be and the same is hereby accepted under the name of Mary A. Soule fund.
[*Resolutions of the City Council No. 346, 1886.*]

[**September 17, 1886.**] No. 410. Resolution Accepting the Gift of Hannah Pope to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of Hannah Pope, of the sum of one hundred and twenty-five dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of William Pope, in said ground, be and the same is hereby accepted under the name of the William Pope fund.
[*Resolutions of the City Council No. 410, 1886.*]

[**September 17, 1886.**] No. 411. Resolution Accepting the Gift of Anna P. Smith to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of Anna P. Smith, of the sum of two hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Catherine James, in said ground, be and the same is hereby accepted under the name of the Catherine James fund.
[*Resolutions of the City Council No. 411, 1886.*]

[**September 17, 1886.**] No. 412. Resolution Accepting the Gift of Sidney McKnight to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of Sidney McKnight, of the sum of fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said McKnight, in said ground, be and the same is hereby accepted under the name of the Sidney McKnight fund.
[*Resolutions of the City Council No. 412, 1886.*]

[**September 17, 1886.**] No. 413. Resolution Accepting the Gift of George T. Paine Administrator, to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of George T. Paine Administrator, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Rosina Greenwood and John

Curtis, in said ground, be and the same is hereby accepted under the name of the Greenwood and Curtis fund.

[*Resolutions of the City Council No. 413, 1886.*]

[**September 17, 1886.**] No. 414. Resolution Accepting the Gift of Edward D. Williams to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of Edward D. Williams, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Williams in said ground, be and the same is hereby accepted under the name of the Edward D. Williams fund.

[*Resolutions of the City Council No. 414, 1886.*]

[**September 17, 1886.**] No. 415. Resolution Accepting the Gift of Robert P. Williams to the North Burial Ground Fund. (Approved September 17, 1886.)

Resolved, That the gift of Robert P. Williams, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Williams, in said ground, be and the same is hereby accepted under the name of the Robert P. Williams fund.

[*Resolutions of the City Council, No. 415, 1886.*]

[**October 2, 1886.**] No. 429. Resolution Authorizing the City Treasurer to Purchase a Lot in the North Burial Ground. (Approved October 2, 1886.)

Resolved, That the city treasurer be and he is hereby authorized to

purchase of the owners, lot number one hundred and seventy-two, group number twelve, for a sum not exceeding twenty-four dollars, and charge the same to the North Burial Ground Sinking Fund.
[*Resolutions of the City Council No. 429, 1886.*]

[**October 25, 1886.**] No. 477. Resolution Accepting the Gift of Robert H. Lee to the North Burial Ground Fund. (Approved October 25, 1886.)

Resolved, That the gift of Robert H. Lee, of the sum of three hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Lee, in said ground, be and the same is hereby accepted under the name of the Robert H. Lee fund.
[*Resolutions of the City Council No. 477, 1886.*]

[**October 25, 1886.**] No. 478. Resolution accepting the Gift of Abby F. Sessions, Administratrix, to the North Burial Ground Fund. (Approved October 25, 1886.)

Resolved, That the gift of Abby F. Sessions, administratrix, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Thomas Sessions, in said ground, be and the same is hereby accepted under the name of the Thomas Sessions fund.
[*Resolutions of the City Council No. 478, 1886.*]

[**October 25, 1886.**] No. 479. Resolution accepting the Gift of Emily A. Hopkins to the North Burial Ground Fund. (Approved October 25, 1886.)

Resolved, That the gift of Emily A. Hopkins, of the sum of seventy-

five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Hopkins, in said ground, be and the same is hereby accepted under the name of the Emily A. Hopkins fund.

[*Resolutions of the City Council No. 479, 1886.*]

[**October 25, 1886.**] No. 480. Resolution accepting the Gift of William C. Hammond and Simeon M. Pike to the North Burial Ground Fund. (Approved October 25, 1886.)

Resolved, That the gift of William C. Hammond and Simeon M. Pike of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Hammond and Pike, in said ground, be and the same is hereby accepted under the name of the Hammond and Pike fund.

[*Resolutions of the City Council No. 480, 1886.*]

[**December 7, 1886.**] Chapter CCCXXXIV. No. 536. An Ordinance Providing for the Perpetual Care of the Prescott Post Lot in the North Burial Ground. (Approved December 7, 1886.)

It is ordained by the City Council of the City of Providence as follows:

Section 1. The commissioners of the North Burial Ground are hereby directed to have perpetual care taken of the Prescott Post lot in the North burying ground.

Sec. 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

[*Resolutions of the City Council No. 536, 1886.*]

[**December 31, 1886.**] No. 578. Resolution Granting Permission to the North Burial Ground Commissioners to lay a Railway Track Across North Grove Street. (Approved December 31, 1886.)

Resolved, That the commissioners of the North Burial ground are hereby given permission to construct a temporary railway across North Grove street, in order to facilitate the transportation of sand and gravel to be used in filling and grading in the North burial Ground.
[*Resolutions of the City Council No. 578, 1886.*]

[**December 31, 1886.**] No. 579. Resolution Accepting the Gift of Mary R. Beattie to the North Burial Ground Fund. (Approved December 31, 1886.)

Resolved, That the gift of Mary R. Beattie of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the south half of the burial lot standing in the names of Walter and John Beattie in said ground, be and the same is hereby accepted under the name of the John Beattie fund.
[*Resolutions of the City Council No. 579, 1886.*]

[**January 1, 1887.**] Ordinances of 1887. Chapter VII. Burial Grounds.

Section 1. The North Burial Ground estate, as the same now is or hereafter may be constituted by any purchases to be made by the city of Providence or other parties, or any donations for and on behalf thereof, and the Hopkins Burial Ground, being the lot of land conveyed to the town of North Providence by Admiral Ezek Hopkins, by deed recorded in the record of deeds in said town in book of deeds 2, page 377, shall be under the care, control and direction of the commissioners of the North Burial Ground and of the superintendent of the North Burial Ground; and said superintendent shall give his personal care,

services and attendance to the protection, maintenance, improvement and proper use of the grounds within said estates, and to maintaining and enforcing all ordinances and regulations applicable thereto under the direction of said commissioners.

Sec. 2. The said commissioners shall exercise a general supervision over said burial grounds, see that all ordinances, regulations and resolutions of the city council in relation thereto are duly enforced, and do all acts necessary and proper for the improvement and protection of the grounds, avenues and fences thereof. Said commissioners shall annually, in the month of January make a report to the city council of the condition of the said burial grounds, which report shall contain an accurate detailed account of all moneys expended by said commissioners, in pursuance of the authority given by this chapter, and the general purposes of such expenditure; and also such other information as said commissioners shall deem expedient.

Sec. 3. The said commissioners are authorized to purchase such horses, cattle, carts and other vehicles, and all such tools and implements as may be necesssry for the proper care and management of said burial grounds; and all such property, so purchased, shall belong to the city of Providence. The said commissioners are also authorized to employ such workmen as they may deem necessary in laying out and caring for said burial grounds, and in keeping the lots, fences, monuments and avenues therein in proper order, and in doing such new work as they may contract to perform.

Sec. 4. All rents collected from said burial grounds, all fees or rewards of any kind derived therefrom, paid to the superintendent of said burial grounds, or to any other person, and all income of whatever description derived from said burial grounds, shall be paid to the city treasurer of the city of Providence, and together with the sums received from the sale of lots in said burial grounds, less five cents per square foot for every square foot of land sold in said burial grounds, shall con-

stitute the North Burial Ground improvement fund. Said five cents per square foot not going to constitute the said North Burial Ground improvement fund, is hereby appropriated as a sinking fund for the extinguishment of any indebtedness of the city already contracted, or which may hereafter be contracted, principal or interest, on account of the purchase of land for said burial grounds.

Sec. 5. Said commissioners are authorized to expend said North Burial Ground improvement fund each year, in the payment of salaries and in the improvement and protection of the grounds, avenues and and fences of said burial grounds; and the city treasurer is hereby directed to pay the same from time to time upon the order of said commissioners.

Sec. 6. The said commissioners are authorized to appoint one of their own number treasurer, who shall keep all books and accounts, which it may be necessary for said commissioners to have kept, relating to said burial grounds, draw all drafts upon the city treasurer for all moneys over which said commissioners have the control, and make up and render all reports required to be made and rendered by said commissioners. The said treasurer shall receive an annual salary of three hundred dollars, payable quarterly from said North Burial Ground improvement fund.

Sec. 7. The superintendent of the North Burial Ground shall be appointed by the commissioners of the North Burial Ground, and shall hold his office during the pleasure of said commissioners. He shall perform such duties, in addition to those prescribed by the ordinances of the city, as said commissioners shall require, and shall receive such salary as said commissioners shall determine, not exceeding fifteen hundred dollars per annum payable quarterly, from the said North Burial Ground Improvement fund, in addition to house and garden rent.

Sec. 8. The superintendent shall keep a record, in a book to be appropriated to that special purpose, of all burials which are made in

the said burial grounds, stating the name, residence, occupation, age, the date and, as near as may be, the place of interment, of each person buried with any other circumstances which said commissioners shall direct.

Sec. 9. The superintendent under the direction of said commissioners, shall keep the fences around the said burial grounds in proper repair, and the gates thereof locked; he shall report to the chief of police every violation of this chapter, as soon as may be, that the same may be prosecuted; and he shall act in conformity with the directions of said commissioners, in all cases not otherwise specially provided for.

Sec. 10. The superintendent shall receive the fees for digging all graves dug in the said burial grounds, being the sum usually charged for such service; and also the sum of one dollar for assisting in selecting and for marking out and granting a certificate for a deed of each lot in said burial grounds,— said fees to be paid by the parties for whom the service is rendered,— and also the sum of twenty-five cents for every other certificate which he may give in his official capacity, and shall pay on the first Monday of each month all such fees into the city treasury.

Sec. 11. The superintendent shall keep an exact account of all fees received by him in pursuance of the provisions of this chapter, and shall on the first Monday of each month transmit a copy of the same to the city treasurer and to the treasurer of the commissioners of the North Burial Ground.

Sec. 12. No person shall take up, hold or own any lot within said burial grounds, except for the purpose of using the same in good faith for a burying lot; nor shall any transfer or sale of any lot therein be made without leave first had and obtained in writing from said commissioners.

Sec. 13. No person shall remove any stake, post, bound or fence placed around, within or upon said grounds, under the direction or per-

mission of said commissioners or of the superintendent, nor mutilate, deface or injure the same, or any monument, tree, shrub or other thing intended for protection, improvement or ornament placed therein, nor commit any trespass or injury within or upon said ground or any part thereof.

Sec. 14. No person shall erect or build any vault or tomb within the limits of said burial grounds, nor inclose any part or portion thereof, without leave first had and obtained from said commissioners, which leave shall be first certified by said commissioners to the superintendent of said ground; and no person shall rent or let for money or other valuable consideration, or permit to be let or occupied for money or other valuable consideration, any tomb or vault or any place or apartment therein, within the limits of the North Burial Ground, without leave first had and obtained in writing from said commissioners.

Sec. 15. No grave shall be dug, nor any body buried in or upon any avenue, path or passage-way in the said burial grounds; and any body so buried shall be removed by the superintendent or by said commissioners, at the expense of the person or persons burying or procuring the same to be buried.

Sec. 16. No grave shall be dug, nor any body buried within said burial grounds, excepting in and upon lots of proprietors, unless the place of such grave or burial be located under the direction of said superintendent or of said commissioners.

Sec. 17. Any person who shall dig or commence or attempt to dig any grave in said burial grounds, except by authority of the superintendent, shall pay a fine of five dollars for each offence.

Sec. 18. All graves within the North Burial Ground estate, including those within proprietor's grounds, shall be dug by the superintendent or his agents, except those for the poor from the Dexter Asylum, which shall be done at the expense and by the agents of the asylum, in that part of the ground appropriated for that purpose.

Sec. 19. Every person who shall violate any of the provisions of this chapter, except those contained in the seventeenth section thereof, shall pay to the use of the city a fine of not less than ten nor more than twenty dollars; and shall be personally liable in addition for any damage or injury done by him as a consequence of such violation to the said burial grounds, or any of the lots therein or the appurtenances thereof.

Chapter VIII. Committees of the City Council.

Section 1. There shall be annually appointed by the city council, immediately after the organization of the city government, the following joint standing committees, who shall hold their offices until the expiration of the current municipal year, viz: a committee on finance; a committee on highways; a committee on education; a committee on the fire department; a committee on city property; a committee on police; a committee on ordinances; a committee on claims; a committee on printing; a committee on parks; a committee on railroads; a committee on sewers; a committee on the north burial ground; a committee on the harbor; a committee on lamps; a committee on water; each of which committees shall consist of four members of the common council and one alderman; also a committee on the city debt, which shall consist of the mayor, the president of the board of aldermen, the president of the common council, the chairman of the joint standing committee on finance, and one member of the common council to be appointed by the president thereof; and a committee on the city engineer's department, to consist of the mayor, the president of the board of aldermen, the president of the common council, the chairman of the joint standing committees on highways and sewers, and one member of the common council to be appointed by the president thereof.

Sec. 2. The board of aldermen shall constitute the advising committee on bridges, and the said board shall cause all the public bridges to be kept in good repair, but shall not build any new bridges nor

expend in any one year on any bridge, except a draw-bridge, more than five hundred dollars, nor on any draw-bridge more than seven hundred and fifty dollars, unless empowered to do so by the city council.

Sec. 3. Joint committees whether standing or special, shall have power to elect their own chairman, and in default of such election, the the member first named on a committee shall be chairman thereof, and in case of his resignation or inability, the other members in the order in which they are named, shall act as chairman.

Sec. 4. Joint standing committees shall cause a record of their proceedings to be kept in a book to be provided by the city for that purpose, and no report shall be received unless agreed to in committee actually assembled.

Sec. 5. Every joint committee to whom any subject shall have been referred shall report thereon within four weeks to the branch making such reference, or shall ask for further time; and all joint special committees shall report to the city council at least once in three months, the condition of the matter referred to them, and shall, also, annually, in the month of January, make to the city council a full report of the matter referred to them and shall thereupon be ipso facto discharged from the further consideration of the matter referred to them unless they shall by joint resolution be continued as such special committee.

Sec. 6. All reports and other papers submitted to the council shall be written in a fair hand, and on separate sheets of paper, and shall be suitably indorsed by the member presenting the same; and no other indorsement or report of any kind shall be made on the reports, memorials or other papers which may be referred to any joint committee, except such as may be made by the clerk of either board of the city council. All reports shall be signed by the writer thereof, unless otherwise ordered by the committee.

Sec. 7. No chairman of any joint committee shall audit or approve

any bill or account against the city for services or supplies, unless the same shall have been ordered by the committee, nor shall he approve any bill or account except by vote of the committee.

Sec. 8. There shall be elected annually, in the month of January, by ballot in each branch of the city council, a joint committee on accounts, to consist of two on the part of the board of aldermen and five on the part of the common council, whose duty it shall be to meet once a month and as much oftener as they may deem expedient.

Chapter XIV. Finances.

* * * *

Sec. 4. No money shall be paid out of the city treasury, except in the cases provided in this chapter, unless the expenditures or the terms of the contract shall be vouched by the head of the department, and the chairman of the committee or commission under whose authority the same has been authorized and made, nor unless the same shall have been examined by the city auditor, approved by the committee on accounts and drawn for by the mayor: provided, that in all cases when it is necessary for money to be paid in advance for contracts made or for work begun, but not completed, the mayor may, upon being satisfied of such necessity, draw upon the city treasury for the amount thus required to be advanced, which draft shall be paid by the city treasurer, provided the same shall be countersigned by the city auditor, and the city auditor shall countersign all such drafts to an amount not exceeding three hundred dollars in any one case, but the city auditor shall not countersign any such draft for any sum exceeding three hundred dollars without the direction of the committee on accounts.

* * * *

Sec. 15. Whenever a contract is made by an officer of the city government, or by any committee or commission appointed by the city council or either branch thereof, for work to be done, or articles and

materials furnished for the city, such officer, committee or commission shall deposit with the city auditor the contract itself or a certified copy thereof, before any payment shall be made thereon, to the end that the city auditor may see that the payments are made in accordance with the terms of the contract: provided, that the provision of this chapter shall not apply to contracts for the construction of water works for the city.

* * * *

Sec. 47. No committee or commission appointed by the city council, or either branch thereof, shall draw any money from the city treasury on account of any appropriation until the vouchers for which the expenditure is required shall be deposited with the city auditor.

Sec. 48. All balances of money remaining in the treasury from general appropriations, and all taxes unpaid at the end of the financial year; all receipts of money on account of the sale of real estate or buildings of any description now belonging or which may hereafter belong to the city, excepting the real estate now or hereafter belonging to the North Burial Ground or Roger Williams Park; all receipts on account of the principal sum of any bond or note now owned or which may hereafter be owned by the city, shall be and the same are hereby appropriated to the payment or purchase of the city debt, and the city auditor shall annually pass to the credit of the committee on the city debt all receipts in money, the proceeds of either of the sources before-mentioned; and the same so passed to the credit of said committee shall be drawn from the treasury of the city for the payment or purchase of the city debt, in the same manner as other money is drawn, and in no other mode, and for no other purpose whatever.

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Chapter XXXIV. Officers of the City and their duties.

Section 1. In conformity with the laws of the state, the following officers shall be annually elected by the city council, in addition to those specially designated by the city charter, to wit:

Sec. 2. In addition to the officers named in the first section of this chapter, the city council shall elect annually in convention the following officers, to wit :

* * * *

Three commissioners of the North Burial Ground ;

A commissioner of sinking funds who shall be elected for the term of three years.

* * * *

Sec. 7. A commission shall issue to any person elected to any of the offices enumerated in this chapter.

Sec. 8. Every person except port wardens so elected to office shall within thirty days after the date of his commission, duly engage himself to the faithful performance of the duties of his office before the city clerk, who shall keep a record thereof. Port wardens, as required by statute, shall engage themselves before the mayor.

Chapter XLVI. Registration of Deaths.

Section 1. There shall be appointed by the board of aldermen a sufficient number of persons to act as undertakers, removable at the pleasure of the board of aldermen.

Sec. 2. Whenever any person shall die in the city, the physician attending in his or her last sickness shall furnish to the undertaker attending the funeral, or to the city registrar, a certificate giving the name of the person, date of death, and the disease or cause of his or her death.

Sec. 3. No person shall bury or place in a tomb, or remove from the city, or otherwise dispose of the body of any human being who shall die in the city, without first reporting the death to the city registrar, and obtaining a permit from him.

Sec. 4. No permit shall be given, as provided in section three, until the city registrar is furnished with the information in relation to

the deceased person, required by the laws of the state, for record, so far as the same can be ascertained, together with the physician's certificate of the cause of death, whenever a physician has been in attendance, or a coroner's certificate, whenever a coroner's inquest has been held.

Whenever a permit for a burial is applied for, in a case of death without the attendance of a physician, or if it is impossible to obtain the physician's certificate, the city registrar shall investigate the case so far as may be necessary, and when he has obtained satisfactory evidence in relation to the cause and circumstances of the death, he shall sign the certificate and give the required permit. If not satisfied in relation to the cause and circumstances of the death, or if, in his opinion, the public good requires it, he shall report the case to a coroner for investigation.

Sec. 5. Whenever the body of a human being who has died out of the city shall be brought here for burial, the undertaker, or other person attending the funeral shall furnish the report required in sections three and four, with the exception of the physician's certificate.

Sec. 6. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

Sec. 7. The city registrar shall cause an abstract of the returns of death made to him to be published in all the newspapers which contract to do the city printing, monthly, and oftener if required by the board of health. He shall also, on or before the first day of April, annually, prepare and present to the city council a statement of the number of births, marriages and deaths which occurred in the city during the year ending with the thirty-first day of December next preceding, with such other information and suggestions in relation thereto as he may deem useful for the promotion of the public health, and other interests of the city.

Sec. 8. No undertaker or other person shall bury or cause to be

buried the body of any deceased person in the city, except in such grounds as are or may be designated as burying grounds, and authorized to be used as such.

Sec. 9. Every person violating any provision of this chapter shall pay a fine of not less than five nor more than twenty dollars for each offence.

Chapter LVIII. Of the Repeal of Prior Ordinances.

Section 1. The provisions contained in this and the preceding chapters of this ordinance shall take effect and go into operation on and after the first day in January in the year eighteen hundred eighty-seven, unless otherwise in said ordinance expressly provided.

Sec. 2. Such and so much of the ordinances contained in this revision as remain in substance the same as before the revision, shall be deemed and taken to have continued in force from the time they were first ordained and as if this revision had not been made.

Sec. 3. All ordinances and parts of ordinances, the subjects whereof are revised and reordained in this revision, or which are repugnant to the provisions therein contained, shall be repealed on and after the first day of January in the year eighteen hundred eighty-seven, with the exceptions and limitations hereinafter expressed.

Sec. 4. In cases in which any provisions of this ordinance are made to go into operation at any time after the first day of January in the year eighteen hundred eighty-seven, the corresponding provisions, if any, of the repealed ordinances, shall continue in force until such new provisions shall go into operation except so far as is in this ordinance otherwise expressly provided.

Sec. 5. The repeal of the ordinances hereinbefore referred to, or hereinafter enumerated, shall not affect any act done, or any right accruing or accrued, or acquired or established, or any remedy for any injury thereto, or any suit or proceeding had or commenced in any civil case before the time when such repeal shall take effect.

Sec. 6. No offence committed, and no penalty, fine or forfeiture incurred under any of the ordinances hereby repealed, and before the time when such repeal shall take effect shall be affected by the repeal; and no suit or prosecution pending at the time of said repeal for any offence committed, or for the recovery of any fine or penalty or forfeiture incurred under any of the ordinances hereby repealed, shall be affected by such repeal, except that the proceedings in such suit or prosecution shall be conformed when necessary to the provisions of this ordinance.

Sec. 7. All persons who, at the time when said repeal shall take effect, shall hold any office under any of the ordinances hereby repealed, shall continue to hold the same under the tenure thereof, except those offices which are abolished and those as to which a different provision is made by this ordinance.

Sec. 8. No ordinance which has heretofore been repealed shall be revived by the repeal contained in this chapter of the ordinances hereby repealed.

Sec. 9. The repeal in this chapter of any ordinance or part of an ordinance heretofore repealed, shall not be construed as a declaration or implication that such ordinance or part of an ordinance has been in force at any time subsequent to such first repeal.

Sec. 10. Wherever any ordinance not herein repealed refers to and adopts any ordinance or part of an ordinance which is herein repealed, such ordinance or part of an ordinance so referred to and adopted shall not be deemed repealed by the provisions of this chapter, but shall be in force only so far as the same shall have been so adopted and for no other purpose, and so far only as is not repugnant to or inconsistent with the provisions of this ordinance.

Sec. 11. The ordinance entitled "An ordinance comprising the ordinances of the city of Providence," ordained by the city council of said city to "go into operation on the first Monday in January eighteen

hundred seventy-five, unless otherwise in said ordinance expressly provided," containing chapters numbered from I to LIX, both inclusive is hereby repealed, subject to the provisions contained in the preceding sections of this chapter.

Sec. 12. All the ordinances hereinafter mentioned described and entitled, and passed since the publication of said ordinance entitled "An ordinance comprising the ordinances of the city of Providence," in the year eighteen hundred seventy-five, are hereby repealed, subject to the provisions contained in the preceding sections of this chapter; that is to say: —

* * * *

Chap. 65. An ordinance in amendment of chapter VII entitled "Burial Grounds," in the ordinance entitled "An ordinance comprising the ordinances of the city of Providence," Approved April 27, 1875.

* * * *

Chapter 219. An ordinance in amendment of chapter VII of the ordinances of the city of Providence, relative to the use of vaults in the North Burial Ground.—Approved June 23, 1883.

* * * *

Chap. 232. An ordinance in amendment to chapter XIII of the ordinances, entitled "Committees of the city council," Approved October 6, 1883.

* * * *

Rules and Regulations of the Board of Aldermen. Chapter 1. Burials.

1. All burials of the bodies of deceased persons in any burial ground within the limits of the city, except in Grace Church Cemetery, Locust Grove Cemetery, Swan Point Cemetery, the Hebrew Burial Ground and the North Burial Ground are hereby prohibited.

2. All entombments of the bodies of deceased persons, except in

the North Burial Ground and Swan Point Cemetery, are hereby prohibited: provided that entombments may be made in Grace Church Cemetery, and the Old Catholic Cemetery on Douglas avenue, between the first day of April and the first day of November, upon condition that such bodies be removed from the tombs in which they are placed within forty-eight hours after their deposit therein; and between the first day of November and the first day of April, on condition that such bodies be removed from such tombs on or before the twentieth day of April ensuing.

3. Every person violating any of the provisions of the two next preceding rules shall, for each offence, pay a fine of not less than ten nor more than twenty dollars, or be imprisoned not less than ten nor more than sixty days.

4. The Female Academy of the Sacred Heart of Providence, Rhode Island, may use for the purpose of burial a certain parcel of land located on the Elmhurst estate, owned by said Female Academy of the Sacred Heart, measuring about twelve feet by twenty-one feet enclosed by a wooden fence, and located near the orchard on said Elmhurst estate.

[*Ordinances of the City of Providence, Ed. 1887, City Clerk's Office.*]

[**January 31, 1887.**] For the annual report of the commissioners of the North Burial Ground for the year ending Dec. 31, 1886 see No. 44, Resolutions of 1887, presented Jan. 31, 1887. Ordered printed Jan. 4, 1887, Resolutions No. 4.

[*Resolutions of the City Council Nos. 4 & 44, 1887.*]

[**April 15, 1887.**] No. 153. Resolution Accepting the Gift of Solon Carpenter, Administrator, to the North Burial Ground Fund. (Approved April 15, 1887.)

Resolved, That the gift of Solon Carpenter, administrator, of the sum of seventy-five dollars, to the commissioners of the North Burial

Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Timothy H. Temple, in said ground, be and the same is hereby accepted under the name of the Timothy H. Temple fund.

[*Resolutions of the City Council No. 153, 1887.*]

[**April 15, 1887.**] No. 154. Resolution Accepting the Gift of Robert T. Thurber, to the North Burial Ground Fund. (Approved April 15, 1887.)

Resolved, That the gift of Robert T. Thurber, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of William H. Thurber, in said ground, be and the same is hereby accepted under the name of the William H. Thurber fund.

[*Resolutions of the City Council No. 154, 1887.*]

[**May 23, 1887.**] No. 218. Resolution Accepting the Gift of Sarah Jane Davis to the North Burial Ground Fund. (Approved May 23, 1887.)

Resolved, That the gift of Sarah Jane Davis, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Davis in said ground, be and the same is hereby accepted under the name of the Sarah Jane Davis fund.

[*Resolutions of the City Council No. 218, 1887.*]

[**May 23, 1887.**] No. 219. Resolution Accepting the Gift of Sarah M. Randall and Marinda E. Broadhurst to the North Burial Ground Fund. (Approved May 23, 1887.)

Resolved, That the gift of Sarah M. Randall and Marinda E. Broadhurst, of the sum of one hundred and five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Randall and Broadhurst in said ground, be and the same is hereby accepted under the name of the Randall and Broadhurst fund.

[*Resolutions of the City Council No. 219, 1887.*]

[**June 6, 1887.**] No. 262. Annual Report of the Commissioners of the North Burial Ground upon the Trust Fund. (Presented June 6, 1887.)

City council file, June 16, 1887.

[*Resolutions of the City Council No. 262, 1887.*]

[**June 6, 1887.**] No. 263. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Fund. (Presented June 6, 1887.)

City council file, June 16, 1887.

[*Resolutions of the City Council No. 263, 1887.*]

[**June 20, 1887.**] No. 278. Resolution Accepting the Gift of Robert W. Wilbur to the North Burial Ground Fund. (Approved June 20, 1887.)

Resolved, That the gift of Robert W. Wilbur, of the sum of fifty-two dollars and fifty cents, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of said Wilbur, in said ground, be and the same is hereby accepted under the name of the Robert W. Wilbur fund.

[*Resolutions of the City Council No. 278, 1887.*]

[**June 27, 1887.**] No. 308. Report of the Committee on North Burial Ground upon the Petition of First Rhode Island Cavalry Veteran Association. (Presented June 27, 1887.)

To the Honorable the City Council:

The committee on the North Burial Ground, to whom on the 21st day of February, 1887, was referred the petition of the First Rhode Island Cavalry Veteran Association, asking for a location in the North Burial Ground, on which to erect a monument as a fitting testimonial to the memory of General Alfred N. Duffie, to commemorate the distinguished services rendered by him to the State of Rhode Island, respectfully report:

That General Alfred N. Duffie, was a Frenchman by birth, and an adopted citizen of this state, from which he enlisted in the late war, and who served as colonel of the first R. I. Cavalry until promoted to Brigadier-General; he was a brave and gallant soldier and rendered marked and distinguished services to both this state and nation and this association, his surviving comrades, desire to erect to his memory a monument similar to the French memorial now in the North Burial Ground. Therefore your committee recommend that the commissioners of the North burial ground be authorized to set apart a suitable lot, adjoining the French memorial lot for that purpose, and recommend the passage of the accompanying resolution.

For the committee,

Henry Cram, Chairman.

[*Resolutions of the City Council No. 308, 1887.*]

[**July 6, 1887.**] No. 309. Resolution Requesting the Commissioners on the North Burial Ground to Set Apart a Lot for the First Rhode Island Cavalry Association. (Approved July 6, 1887.)

Resolved, That the commissioners of the North burial ground be and they are hereby authorized to set apart a suitable lot adjoining the French memorial lot, for the First Rhode Island Cavalry Veteran Association to erect thereupon a monument or memorial to the memory of General Alfred N. Duffie, and properly prepare the same for its reception.

[*Resolutions of the City Council No. 309, 1887.*]

[**July 6, 1887.**] Chapter LXXXVII. No. 310. An Ordinance Providing for the Perpetual care of French Memorial and General Alfred N. Duffie Lots in the North Burial Ground. (Approved July 6, 1887.)

It is ordained by the City Council of the City of Providence as follows:

Section 1. The commissioners of the North burial ground are hereby directed to have perpetual care taken of the so called French memorial lot and also of the General Alfred N. Duffie memorial lot, so soon as the contemplated monument for said lot shall have been completed, both situated side by side in the North burial ground.

[*Resolutions of the City Council No. 310, 1887.*]

[**July 6, 1887.**] No. 314. Resolution Accepting the Gift of F. E. Anthony, Administrator, to the North Burial Ground Fund. (Approved July 6, 1887.)

Resolved, That the gift of F. E. Anthony, administrator, of the sum of hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care

of the burial lot standing in the name of Charlotte Benson Anthony, in said ground, be and the same is hereby accepted under the name of the Charlotte Benson Anthony fund.

[*Resolutions of the City Council No. 314, 1887.*]

[**July 6, 1887.**] No. 315. Resolution Accepting the Gift of H. B. Dean, Executor, and Edwin Lovett to the North Burial Ground Fund. (Approved July 6, 1887.)

Resolved, That the gift of H. B. Dean, executor, and Edwin Lovett, of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Harriet M. and Edwin Lovett, in said ground, be and the same is hereby accepted under the name of the Harriet M. and Edwin Lovett fund.

[*Resolutions of the City Council No. 315, 1887.*]

[**July 6, 1887.**] No. 316. Resolution Accepting the Gift of Sarah A. Waterman to the North Burial Ground Fund. (Approved July 6, 1887.)

Resolved, That the gift of Sarah A. Waterman, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the said Waterman, in said ground, be and the same is hereby accepted under the name of the Sarah A. Waterman fund.

[*Resolutions of the City Council No. 316, 1887.*]

[**July 18, 1887.**] No. 347. Accepting the Gift of Martin K. Cowing to the North Burial Ground Fund. (Approved July 18, 1887.)

Resolved, That the gift of Martin K. Cowing, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Cowing, in said ground be and the same is hereby accepted under the name of the Martin K. Cowing fund.

[*Resolutions of the City Council No. 347, 1887.*]

[**July 18, 1887.**] No. 348. Resolution Accepting the Gift of Elizabeth S. Eells to the North Burial Ground Fund. (Approved July 18, 1887.)

Resolved, That the gift of Elizabeth S. Eells, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of William L. Eells, in said ground, be and the same is hereby accepted under the name of the William L. Eells fund.

[*Resolutions of the City Council No. 348, 1887.*]

[**July 20, 1887.**] No. 349. Resolution Accepting the Gift of Mrs. William Franceville and Thomas Merreweather to the North Burial Ground. (Approved July 20, 1887.)

Resolved, That the gift of Mrs. William Franceville and Thomas Merreweather, of the sum of two hundred and thirty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of the

said Franceville and Merreweather, in said ground, be and the same is hereby accepted under the name of the Franceville and Merreweather fund.

[*Resolutions of the City Council No. 349, 1887.*]

[**July 18, 1887.**] No. 350. Resolution Accepting the Gift of Daniel W. Gilbert to the North Burial Ground Fund. (Approved July 18, 1887.)

Resolved, That the gift of Daniel W. Gilbert of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Gilbert, in said ground, be and the same is hereby accepted under the name of the Daniel W. Gilbert fund.

[*Resolutions of the City Council No. 350, 1887.*]

[**July 18, 1887.**] No. 351. Resolution Accepting the Gift of Joseph Watson to the North Burial Ground Fund. (Approved July 18, 1887.)

Resolved, That the gift of Joseph Watson, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Watson, in said ground, be and the same is hereby accepted under the name of the Joseph Watson fund.

[*Resolutions of the City Council No. 351, 1887.*]

[**September 10, 1887.**] No. 449. Resolution Accepting the Gift of Charles I. Burlingame to the North Burial Ground Fund. (Approved September 10, 1887.)

Resolved, That the gift of Charles I. Burlingame, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Burlingame, in said ground, be and the same is hereby accepted under the name of the Charles I. Burlingame fund.

[*Resolutions of the City Council No. 449, 1887.*]

[**September 10, 1887.**] No. 450. Resolution Accepting the Gift of Catherine H. Salisbury to the North Burial Ground Fund. (Approved September 18, 1887.)

Resolved, That the Gift of Catherine H. Salisbury, of the sum of one hundred and sixty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Salisbury in said ground, be and the same is hereby accepted under the name of the Catherine H. Salisbury fund.

[*Resolutions of the City Council No. 450, 1887.*]

[**September 10, 1887.**] No. 451. Resolution Accepting the Gift of Mary Lees to the North Burial Ground Fund. (Approved September 10, 1887.)

Resolved, That the gift of Mary Lees, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Lees, in said ground, be and the same is hereby accepted under the name of the Mary Lees fund.

[*Resolutions of the City Council No. 451, 1887.*]

[**September 10, 1887.**] No. 452. Resolution Accepting the Gift of Hudson Smith to the North Burial Ground Fund. (Approved September 10, 1887.)

Resolved, That the gift of Hudson Smith, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Smith, in said ground, be and the same is hereby accepted under the name of the Hudson Smith fund.

[*Resolutions of the City Council No. 452, 1887.*]

[**September 10, 1887.**] No. 453. Resolution Accepting the Gift of William S. Smith to the North Burial Ground Fund. (Approved September 10, 1887.)

Resolved, That the gift of William S. Smith, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Smith, in said ground, be and the same is hereby accepted under the name of the William S. Smith fund.

[*Resolutions of the City Council No. 453, 1887.*]

[**September 10, 1887.**] No. 454. Resolution Accepting the Gift of Charles T. Cheney to the North Burial Ground Fund. (Approved September 10, 1887.)

Resolved, That the gift of Charles T. Cheney, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Cheney, in said ground, be and the same is hereby accepted under the name of the Charles T. Cheney fund.

[*Resolutions of the City Council No. 454, 1887.*]

[**October 15, 1887.**] No. 506. Resolution Accepting the Gift of Sarah Jane Eastwood to the North Burial Ground Fund. (Approved October 15, 1887.)

Resolved, That the gift of Sarah Jane Eastwood, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Eastwood, in said ground, be and the same is hereby accepted under the name of the Sarah Jane Eastwood fund.
[*Resolutions of the City Council No. 506, 1887.*]

[**October 15, 1887.**] No. 507. Resolution Accepting the Gift of Margaret W. Clark, Administratrix to the North Burial Ground Fund. (Approved October 15, 1887.)

Resolved, That the gift of Margaret W. Clark, administratrix, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Isaac W. Clark, in said ground, be and the same is hereby accepted under the name of the Isaac W. Clark fund.
[*Resolutions of the City Council No. 507, 1887.*]

[**October 15, 1887.**] No. 508. Resolution Accepting the Gift of William J. Waterman, Executor, to the North Burial Ground Fund. (Approved October 15, 1887.)

Resolved, That the gift of William J. Waterman, executor, of the sum of three hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the

burial lot standing in the name of Welcome Angell, in said ground be and the same is hereby accepted under the name of the Welcome Angell fund.

[*Resolutions of the City Council No. 508, 1887.*]

[**October 15, 1887.**] No. 509. Resolution Accepting the Gift of Alfred Smith to the North Burial Ground Fund. (Approved October 15, 1887.)

Resolved, That the gift of Alfred Smith of the sum of one hundred and fifty dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Alfred and Sidney Smith, in said ground be and the same is hereby accepted under the name of the Alfred and Sidney Smith fund.

[*Resolutions of the City Council No. 509, 1887.*]

[**November 29, 1887.**] No. 578. Resolution Accepting the Gift of Avis W. Chapman to the North Burial Ground Fund. (Approved November 29, 1887.)

Resolved, That the gift of Avis W. Chapman of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Rhodes B. Chapman, in said ground, be and the same is hereby accepted under the name of the Rhodes B. Chapman fund.

[*Resolutions of the City Council No. 578, 1887.*]

[**November 29, 1887.**] No. 579. Resolution Accepting the Gift of Mary Ann Budlong to the North Burial Ground Fund. (Approved November 29, 1887.)

Resolved, That the gift of Mary Ann Budlong of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Budlong, in said ground, be and the same is hereby accepted under the name of the Mary Ann Budlong fund.

[*Resolutions of the City Council No. 579, 1887.*]

[**November 29, 1887.**] No. 580. Resolution Accepting the Gift of William Burgess to the North Burial Ground Fund. (Approved November 29, 1887.)

Resolved, That the gift of William Burgess of the sum of one hundred and twenty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Burgess, in said ground, be and the same is hereby accepted under the name of the William Burgess fund.

[*Resolutions of the City Council No. 580, 1887.*]

[**November 29, 1887.**] No. 581. Resolution Accepting the Gift of Lydia A. Coggeshall to the North Burial Ground Fund. (Approved November 29, 1887.)

Resolved, That the gift of Lydia A. Coggeshall of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Coggeshall, in said ground, be and the same is hereby accepted under the name of the Lydia A. Coggeshall fund.

[*Resolutions of the City Council No. 581, 1887.*]

[**December 7, 1887.**] No. 590. Resolution Accepting the Gift of Lysander Bennett to the North Burial Ground Fund. (Approved December 7, 1887.)

Resolved, That the gift of Lysander Bennett, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Bennett, in said ground be and the same is hereby accepted under the name of the Lysander Bennett fund.

[*Resolutions of the City Council No. 590, 1887.*]

[**December 7, 1887.**] No. 591. Resolution Accepting the Gift of George H. Knowlton to the North Burial Ground Fund. (Approved December 7, 1887.)

Resolved, That the gift of George H. Knowlton, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Knowlton, in said ground, be and the same is hereby accepted under the name of the George H. Knowlton fund.

[*Resolutions of the City Council No. 591, 1887.*]

[**January 23, 1888.**] For the annual report of the Commissioners of the North Burial Ground for the year ending Dec. 31, 1887 see No. 35 Resolutions of 1888, presented Jan. 23, 1888. Ordered printed Jan. 5, 1888, Resolutions No. 4.

[*Resolutions of the City Council No. 4 & 35, 1888.*]

[**February 8, 1888.**] No. 38. Resolution Accepting the Gift of Mary A. O'Rourke to the North Burial Ground Fund. (Approved February 8, 1888.)

Resolved, That the gift of Mary A. O'Rourke, of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said O'Rourke, in said ground, be and the same is hereby accepted under the name of the Mary A. O'Rourke fund.

[*Resolutions of the City Council No. 38, 1888.*]

[**February 8, 1888.**] No. 39. Resolution Accepting the Gift of Charles B. and Hannah D. Smith to the North Burial Ground Fund. (Approved February 8, 1888.)

Resolved, That the gift of Charles B. and Hannah D. Smith, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Smith, in said ground, be and the same is hereby accepted under the name of the Charles B. and Hannah D. Smith fund.

[*Resolutions of the City Council No. 39, 1888.*]

[**February 6, 1888.**] No. 53. Report of the Joint Committee on the Fire Department Relative to Lot in North Burial Ground Standing in the Name of Providence Association of Firemen for Mutual Assistance. (Presented February 6, 1888.)

To the Honorable the City Council:

The joint standing committee on fire department, to whom was referred a joint resolution relative to the acceptance by the city of the sum of six hundred dollars from the Providence Association of Firemen for Mutual Assistance, the same to be held in trust and the income derived therefrom to be applied to the perpetual care of the lot in the North burial ground standing in the name of said association, respectfully report:

That they have given to this matter careful and earnest consideration, and after having made diligent inquiry concerning it, find that the lot referred to was purchased by the association and has been graded, curbed and improved from time to time at their expense. A monument of most artistic design and finish has been erected upon it, and no effort has been spared by the association to make the lot an ornament to the grounds and a source of pride to our citizens.

The sum of six hundred dollars, to which the resolution refers, has been held by the commissioners of the North Burial ground since the latter part of the year 1885, and although this money has never been accepted by the city, yet it has been deposited in the Mechanics Savings Bank, and the interest accruing therefrom has been expended in caring for the lot.

Your committee also find that the lots belonging to the Police Association and to the Prescott Post were donated to them by the city, and the perpetual care of the Prescott Post lot was assumed by the city in 1886.

The cost of such care is but trifling, and your committee are of the opinion that the city should be willing to assume the care of the lot belonging to the fire department association in the same manner as they have already done in regard to the Prescott Post lot, and not compel them to expend a portion of their fund, which is none too large for the purposes to which it is devoted namely: the relief of firemen who may be injured or who contract sickness while engaged in services at fires.

In view of these facts the committee recommend that the further consideration of the resolution be indefinitely postponed, and that the accompanying bill for an ordinance be adopted.

For the Committee,

Ira Winsor, Chairman.

[*Resolutions of the City Council No. 53, 1888.*]

[**February 8, 1888.**] Chapter CIX. No. 54. An Ordinance Providing for the Perpetual Care of the Burial Lot in the North Burial Ground Standing in the Name of the Providence Association of Firemen for Mutual Assistance. (Approved February 8, 1888.)

It is ordained by the City Council of the City of Providence as follows :

Section 1. The commissioners of the North Burial Ground are hereby directed to have perpetual care taken of the lot in the North burial ground standing in the name of the Providence Association of Firemen for Mutual Assistance.

Sec. 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

[*Resolutions of the City Council No. 54, 1888.*]

[**April 25, 1888.**] No. 194. Resolution Accepting the Gift of Sarah Jane Davis to the North Burial Ground Fund. (Approved April 25, 1888.)

Resolved, That the gift of Sarah Jane Davis, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Davis, in said ground, be and the same is hereby accepted under the name of the Sarah Jane Davis fund.

[*Resolutions of the City Council No. 194, 1888.*]

[**April 25, 1888.**] No. 195. Resolution Accepting the Gift of Thomas W. Hedley to the North Burial Ground Fund. (Approved April 25, 1888.)

Resolved, That the gift of Thomas W. Hedley, of the sum of one hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care

of the burial lot standing in the name of said Hedley, in said ground, be and the same is hereby accepted under the name of the Thomas W. Hedley fund.

[*Resolutions of the City Council No. 195, 1888.*]

[**April 25, 1888.**] No. 196. Resolution Accepting the Gift of Providence Children's Friends Society to the North Burial Ground Fund. (Approved April 25, 1888.)

Resolved, That the gift of Providence Children's Friends Society, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Ann Smith Knowles, in said ground, be and the same is hereby accepted under the name of the Ann Smith Knowles fund.

[*Resolutions of the City Council No. 196, 1888.*]

[**April 25, 1888.**] No. 197. Resolution Accepting the Gift of William H. McTwiggan to the North Burial Ground Fund. (Approved April 25, 1888.)

Resolved, That the gift of William H. McTwiggan, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of James McTwiggan, in said ground, be and the same is hereby accepted under the name of the James McTwiggan fund.

[*Resolutions of the City Council No. 197, 1888.*]

[**April 25, 1888.**] No. 198. Resolution Accepting the Gift of Albert J. Schmid to the North Burial Ground Fund. (Approved April 25, 1888.)

Resolved, That the gift of Albert J, Schmid, of the sum of three

hundred seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of John M. Schmid, in said ground, be and the same is hereby accepted under the name of the John M. Schmid fund.

[*Resolutions of the City Council No. 198, 1888.*]

[**May 14, 1888.**] No. 244. Resolution Accepting the Gift of Albert E. Crump to the North Burial Ground Fund. (Approved May 14, 1888.)

Resolved, That the gift of Albert E. Crump of the sum of eighty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Crump, in said ground, be and the same is hereby accepted under the name of the Albert E. Crump fund.

[*Resolutions of the City Council No. 244, 1888.*]

[**May 14, 1888.**] No. 245. Resolution Accepting the Gift of Alfred E. Sherman to the North Burial Ground Fund. (Approved May 14, 1888.)

Resolved, That the Gift of Alfred E. Sherman of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of Alfred Sherman, in said ground, be and the same is hereby accepted under the name of the Alfred Sherman fund.

[*Resolutions of the City Council No. 245, 1888.*]

[**May 14, 1888.**] No. 246. Resolution Accepting the Gift of George G. Mathewson to the North Burial Ground Fund. (Approved May 14, 1888.)

Resolved, That the gift of George G. Mathewson of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Mathewson, in said ground, be and the same is hereby accepted under the name of the George G. Mathewson fund.

[*Resolutions of the City Council No. 246, 1888.*]

[**May 14, 1888.**] No. 247. Resolution Accepting the Gift of Charles Williams to the North Burial Ground Fund. (Approved May 14, 1888.)

Resolved, That the gift of Charles Williams of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Williams, in said ground, be and the same is hereby accepted under the name of the Charles Williams fund.

[*Resolutions of the City Council No. 247, 1888.*]

[**June 19, 1888.**] No. 312. Resolution Accepting the Gift of George G. Munroe to the North Burial Ground Fund. (Approved June 19, 1888.)

Resolved, That the gift of George G. Munroe, of the sum of one hundred and twenty-eight dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care

of the burial lot standing in the name of said Munroe, in said ground, be and the same is hereby accepted under the name of the George G. Munroe fund.

[*Resolutions of the City Council No. 312, 1888.*]

[**June 19, 1888.**] No. 313. Resolution Accepting the Gift of Adelaide C. Towne, Administratrix, to the North Burial Ground Fund. (Approved June 19, 1888.)

Resolved, That the gift of Adelaide C. Towne, administratrix, of the sum of one hundred and ninety dollars to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Aaron Towne, in said ground, be and the same is hereby accepted under the name of the Aaron Towne fund.

[*Resolutions of the City Council No. 313, 1888.*]

[**June 11, 1888.**] No. 316. In City Council. Annual Report of the Commissioners of the North Burial Ground upon the Trust Fund. (Presented June 11, 1888.)

City Council file, June 21, 1888.

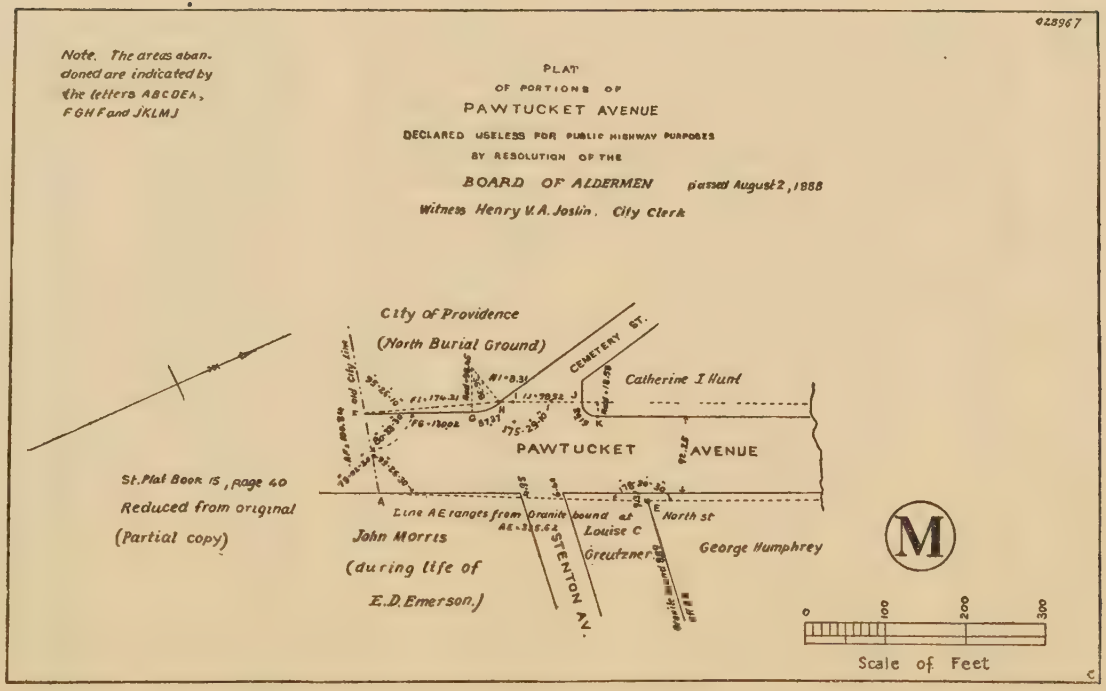
[*Resolutions of the City Council No. 316, 1888.*]

[**June 11, 1888.**] No. 317. Annual Report of the Commissioners of the North Burial Ground upon the Receipts and Expenditures of the Trust Fund. (Presented June 11, 1888.)

City Council file, June 21, 1888.

[*Resolutions of the City Council No. 317, 1888.*]

[**July 5, 1888.**] No. 333. Resolution Accepting the Gift of Harriet N. Lovett to the North Burial Ground Fund. (Approved July 5, 1888.)



Plat M opposite page 381.

Resolved, That the gift of Harriet N. Lovett, of the sum of one hundred and twenty-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Lovett, in said ground, be and the same is hereby accepted under the name of the Harriet N. Lovett fund.

[*Resolutions of the City Council No. 333, 1888.*]

[**August 2, 1888.**] In Board of Aldermen.

Resolved, That so much of Pawtucket avenue lying between the points A. B. C. D. E. and A; F. G. H. and F; and between the points J. K. L. M. and J, as shown upon a map[1] of said avenue this day presented to the board of aldermen, is no longer useful to the public, and the same is hereby abandoned as a public highway and declared to be useless.

[*Resolutions of the City Council, 1888, page 265.*]

[**August 8, 1888.**] No. 392. Resolution Accepting the Gift of Mary Ann Capron to the North Burial Ground Fund. (Approved August 8, 1888.)

Resolved, That the gift of Mary Ann Capron, of the sum of one hundred dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the two burial lots standing in the name of Mary Nixon and Mary Ann Capron in said ground, be and the same is hereby accepted under the name of the Mary Ann Capron fund.

[*Resolutions of the City Council No. 392, 1888.*]

[1] Plat M.

[**August 8, 1888.**] No. 393. Resolution Accepting the Gift of the Heirs of Asa and William H. Pike to the North Burial Ground Fund. (Approved August 8, 1888.)

Resolved, That the gift of the heirs of Asa and William H. Pike of the sum of one hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Asa and William H. Pike, in said ground, be and the same is hereby accepted under the name of the Asa and William H. Pike fund.

[*Resolutions of the City Council No. 393, 1888.*]

[**August 8, 1888.**] No. 394. Resolution Accepting the Gift of Sarah E. Davenport to the North Burial Ground Fund. (Approved August 8, 1888.)

Resolved, That the gift of Sarah E. Davenport, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Davenport, in said ground, be and the same is hereby accepted under the name of the Sarah E. Davenport fund.

[*Resolutions of the City Council No. 394, 1888.*]

[**September 6, 1888.**] No. 463. Resolution Accepting the Gift of Ann C. Potter and Adah Westcott to the North Burial Ground Fund. (Approved September 6, 1888.)

Resolved, That the gift of Ann C. Potter and Adah Westcott, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws to the preservation and

care of the burial lot standing in the name of Waity Olney, in said ground, be and the same is hereby accepted under the name of the Waity Olney fund.

[*Resolutions of the City Council No. 463, 1888.*]

[**September 24, 1888.**] No. 494. Resolution Authorizing the Commissioners of the North Burial Ground to Enlarge the Green House in Said Ground. (Approved September 24, 1888.)

Resolved, That the commissioners of the North Burial Ground be and they are hereby authorized and directed to enlarge the present greenhouse at the North Burial ground at a cost not to exceed the sum of one thousand dollars, the same to be charged to the North Burial ground improvement fund.

[*Resolutions of the City Council No. 494, 1888.*]

[**October 22, 1888.**] No. 539. Resolution Accepting the Gift of the Heirs of James A. Smith to the North Burial Ground Fund. (Approved October 22, 1888.)

Resolved, That the gift of the Heirs of James A. Smith, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of James A. Smith, in said ground, be and the same is hereby accepted under the name of the James A. Smith fund.

[*Resolutions of the City Council No. 539, 1888.*]

[**October 22, 1888.**] No. 540. Resolution Accepting the Gift of Henry G. Sperry and Adolph J. Pies to the North Burial Ground Fund. (Approved October 22, 1888.)

Resolved, That the gift of Henry G. Sperry and Adolph J. Pies, of the sum of one hundred and eighty-five dollars, to the commissioners of

the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Sperry and Pies, in said ground, be and the same is hereby accepted under the name of the Sperry and Pies fund.

[*Resolutions of the City Council No. 540, 1888.*]

[**October 22, 1888.**] No. 541. Resolution Accepting the Gift of Thomas A. Burton to the North Burial Ground Fund. (Approved October 22, 1888.)

Resolved, That the gift of Thomas A. Burton, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Burton, in said ground, be and the same is hereby accepted under the name of the Thomas A. Burton fund.

[*Resolutions of the City Council No. 541, 1888.*]

[**October 22, 1888.**] No. 542. Resolution Accepting the Gift of Caroline P. Smith, to the North Burial Ground Fund. (Approved October 22, 1888.)

Resolved, That the gift of the heirs of Caroline P. Smith, of the sum of one hundred and twenty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Smith in said ground, be and the same is hereby accepted under the name of the Caroline P. Smith fund.

[*Resolutions of the City Council No. 542, 1888.*]

[**October 22, 1888.**] No. 543. Resolution Accepting the Gift of Roger Smith to the North Burial Ground Fund. (Approved October 22, 1888.)

Resolved, That the gift of Roger Smith, of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Smith, in said ground, be and the same is hereby accepted under the name of the Roger Smith fund.

[*Resolutions of the City Council No. 543, 1888.*]

[**October 31, 1888.**] No. 545. Resolution Authorizing the Commissioners of the North Burial Ground to Set Apart Land in said Ground for the burial of the Bodies to be taken from the Proprietors' Burial Ground. (Approved October 31, 1888.)

Resolved, That the commissioners of the North Burial ground be hereby authorized and directed to set apart so much land in said burial ground as may be necessary to provide for the burial of the bodies now remaining in what was formerly the Proprietors' burial ground, the land so set apart not to be in the Potter's field, so called.

[*Resolutions of the City Council No. 545, 1888.*]

[**November 22, 1888.**] In Board of Aldermen. The following is read and adopted: Chapter XXVII.

Amendment of chapter 1 of the rules and regulations of the board of aldermen entitled "Burials."

5. The state board of education of Rhode Island may use for the purposes of burial, a certain parcel of land one hundred feet square, located on the State Home and School farm in the tenth ward, belonging to the State of Rhode Island; said land to be enclosed by a stone fence.

[*Resolutions of the City Council, 1888, page 383.*]

[**November 19, 1888.**] No. 584. Communication from the Commissioners of the North Burial Ground, Relative to the Purchase of a Lot in said Ground of the Heirs of John Tomlinson Pendlebury. (Presented November 19, 1888.)

To the Honorable the City Council of the City of Providence:

The commissioners of the North Burial ground respectfully represent:

That on the 20th day of March, 1850, the city deeded a lot of land in said burial ground to John Tomlinson Pendlebury. The deed of this lot was never recorded nor was the lot occupied.

This lot was located west of the receiving tomb. In making improvements in this locality changes have been made which render it impossible to find the exact location, and as the present owner is willing to sell the lot your commissioners deem it advisable for the city to buy it and recommend the passage of the accompanying resolution.

Respectfully submitted for the committee,

Oren Westcott, Secretary and Treasurer.

Providence, November 19, 1888.

[*Resolutions of the City Council No. 584, 1888.*]

[**December 1, 1888.**] No. 585. Resolution to Purchase a Certain Lot of Land in the North Burial Ground of the Heirs of John Tomlinson Pendlebury. (Approved December 1, 1888.)

Resolved, That the city treasurer be and he is hereby authorized to purchase of the heirs of John Tomlinson Pendlebury a certain lot of land in the North Burial ground, containing one hundred and twenty-eight square feet at a sum not exceeding twenty cents per square foot, the same to be charged to the North burial ground sinking fund.

[*Resolutions of the City Council No. 585, 1888.*]

[**December 1, 1888.**] No. 596. Resolution Accepting the Gift of Abby Burton Crosby to the North Burial Ground Fund. (Approved December 1, 1888.)

Resolved, That the gift of Abby Burton Crosby, of the sum of one

hundred and seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Crosby, in said ground, be and the same is hereby accepted under the name of the Abby Burton Crosby fund.

[*Resolutions of the City Council No. 596, 1888.*]

[**December 1, 1888.**] No. 597. Resolution Accepting the Gift of William Stanley to the North Burial Ground Fund. (Approved December 1, 1888.)

Resolved, That the gift of William Stanley, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground in trust the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Stanley, in said ground, be and the same is hereby accepted under the name of the William Stanley fund.

[*Resolutions of the City Council No. 597, 1888.*]

[**December 1, 1888.**] No. 598. Resolution Accepting the Gift of David Crowley to the North Burial Ground Fund. (Approved December 1, 1888.)

Resolved, That the gift of David Crowley, of the sum of one hundred and fifty dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of David, Edward and John Crowley, in said ground, be and the same is hereby accepted under the name of the David Crowley fund.

[*Resolutions of the City Council No. 598, 1888.*]

[**December 1, 1888.**] No. 599. Resolution Accepting the Gift of Joseph C. Boms to the North Burial Ground Fund. (Approved December 1, 1888.)

Resolved, That the gift of Joseph C. Boms of the sum of seventy-five dollars, to the commissioners of the North Burial Ground, in trust, the income thereof to be applied under the provisions of chapter 367 of the public laws, to the preservation and care of the burial lot standing in the name of said Boms in said ground, be and the same is hereby accepted under the name of the Joseph C. Boms fund.

[*Resolutions of the City Council No. 599, 1888.*]

[**December 6, 1888.**] No. 603. Resolution to Remove Bodies from Proprietors Burial Ground to North Burial Ground. (Approved December 6, 1888.)

Resolved, That the superintendent of the North Burial Ground be hereby authorized and directed to remove the bodies now remaining in what was known as the Proprietors Burial Ground, together with such headstones as mark the same, to the lot in the North Burial Ground to be set apart for that purpose by the commissioners of said ground, the expenses of said removal and reburial, not exceeding three hundred dollars, to be taken from any money in the treasury not otherwise appropriated.

[*Resolutions of the City Council No. 603, 1888.*]

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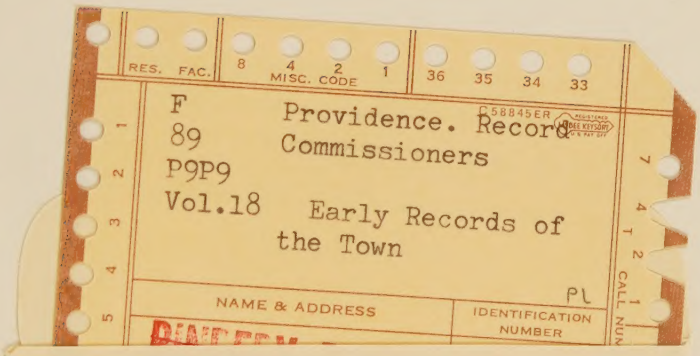

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